

**WAYNE COUNTY BOARD OF SUPERVISORS
2010 ANNUAL SESSION**

1st Day
Tuesday, January 5, 2010

Pursuant to Section 151 of the County Law the Board of Supervisors convened in their chambers in the Court House, Village of Lyons, New York, on the 5th day of January 2010 at 9:00 a.m. and was called to order by Sandra J. Sloane, Clerk of the previous Board.

Invocation was given by the Clerk.

ROLL CALL:	ARCADIA	Richard Colacino
	BUTLER	David Spickerman, Sr.
	GALEN	Steven Groat
	HURON	Laurie Crane
	LYONS	Brian Manktelow
	MACEDON	William Hammond
	MARION	Jolene Bender
	ONTARIO	Robert Kelsch
	PALMYRA	Kenneth Miller
	ROSE	Lucinda Collier
	SAVANNAH	Kenneth Lauderdale
	SODUS	Steven LeRoy
	WALWORTH	Robert Plant
	WILLIAMSON	James Hoffman
	WOLCOTT	Kim Park

Upon roll call, all members of the Board were present. County Attorney Daniel Wyner and County Administrator James Marquette were also present.

ELECTION OF PERMANENT CHAIRMAN:

Mr. LeRoy placed in nomination the name of James D. Hoffman, Town of Williamson, for Permanent Chairman, seconded by Mr. Groat.

Mr. Plant moved the nominations be closed. Seconded by Mr. Lauderdale.

Total Votes cast for Mr. Hoffman - 4225

The Clerk declared James D. Hoffman duly elected as Permanent Chairman and appointed Supervisors Groat and Bender to escort the Chairman to the Chair.

Chairman Hoffman addressed the Board to express his appreciation by thanking members for his re-election as Permanent Chairman and asked for their continued support during the coming year.

ELECTION OF CLERK OF THE BOARD:

Mr. Plant placed in nomination the name of Sandra J. Sloane as Clerk of the Board. Seconded by Mr. LeRoy.

Mr. LeRoy moved, seconded by Mr. Plant, that the nominations be closed and the Clerk cast one ballot for Sandra J. Sloane. Carried. The Chairman declared Sandra J. Sloane duly elected Clerk of the Board.

ELECTION OF DEPUTY CLERK OF THE BOARD:

Mr. Hammond placed in nomination the name of Debbie A. Liseno as Deputy Clerk of the Board. Seconded by Mr. Lauderdale.

Mr. Plant moved, seconded by Mrs. Crane, that nominations be closed and the Clerk

cast one ballot for Debbie A. Liseno. Carried. The Chairman declared Debbie A. Liseno duly elected Deputy Clerk of the Board.

ELECTION OF BUDGET OFFICER:

Mrs. Collier placed in nomination the name of James Marquette as Budget Officer. Seconded by Mrs. Crane.

Mrs. Bender moved, seconded by Mr. LeRoy, that nominations be closed. The Chairman declared James Marquette duly elected Budget Officer.

ELECTION OF PURCHASING AGENT:

Mr. Kelsch placed in nomination the name of Sandra J. Sloane as Purchasing Agent. Seconded by Mr. Colacino.

Mr. Plant moved, seconded by Mrs. Crane, that the nominations be closed and the Clerk cast one ballot for Sandra J. Sloane. Carried. The Chairman declared Sandra J. Sloane, duly elected Purchasing Agent.

ELECTION OF DEPUTY PURCHASING AGENT:

Mr. Plant placed in nomination the name of Debbie A. Liseno as Deputy Purchasing Agent. Seconded by Mrs. Crane.

Mr. LeRoy moved, seconded by Mrs. Crane, that the nominations be closed and the Clerk cast one ballot for Debbie A. Liseno. Carried. The Chairman declared Debbie A. Liseno, duly elected Deputy Purchasing Agent.

MAJORITY LEADER:

Mr. Spickerman announced that the Republicans had chosen Mrs. Jolene Bender as Majority Leader.

MINORITY LEADER:

Mr. Groat announced that he himself, Mr. Steven Groat is designated as Minority Leader.

On behalf of the Board, the Clerk read the Newspaper Designations for both Republican and Democratic Parties.

NEWSPAPER DESIGNATION - REPUBLICAN

We the undersigned Republican members of the Board of Supervisors of the County of Wayne, do hereby designate The Times of Wayne County, a weekly newspaper published in Macedon, New York, to publish the concurrent resolutions of the Legislature for the year 2010. We also designate The Times of Wayne County, a weekly newspaper published in Macedon, New York, to publish the official canvass.

We also designate The Times of Wayne County, a weekly newspaper published in Macedon, New York, to publish the election notices issued by the Secretary of State.

NEWSPAPER DESIGNATION - DEMOCRATIC

I the undersigned Democratic member of the Board of Supervisors of the County of Wayne hereby designate the Wayne County Star, a weekly newspaper published in Wolcott, New York, to publish the concurrent resolutions of the Legislature for the year 2010.

I also designate the Wayne County Star, a weekly newspaper published in Wolcott, New York, to publish the official canvass.

I also designate the Wayne County Star, a weekly newspaper published in Wolcott, New York, to publish the election notices issued by the Secretary of State.

2010 STANDING COMMITTEES:

Number	Committee Name	Number on Committee
No. 1	FINANCE COMMITTEE Hammond, Bender, Plant, Park Lauderdale	5 Members
No. 2	PUBLIC SAFETY COMMITTEE Plant, Colacino, Bender, LeRoy, Crane	5 Members
No. 3	PUBLIC WORKS COMMITTEE LeRoy, Miller, Spickerman, Colacino, Manktelow	5 Members
No. 4	ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE Spickerman, Kelsch, Hammond, Groat, Miller	5 Members
No. 5	GOVERNMENT OPERATIONS COMMITTEE Collier, Lauderdale, Spickerman, Bender, Kelsch	5 Members
No. 6	HEALTH AND MEDICAL SERVICES COMMITTEE Park, Manktelow, Crane, Plant, Collier	5 Members
No. 7	HUMAN SERVICES COMMITTEE Crane, Groat, Manktelow, Park, Collier	5 Members

Mrs. Collier moved, seconded by Mr. Groat, that the Standing Committees for 2010 be approved as presented. Upon roll call, carried.

OTHER BUSINESS

Mr. Plant moved, seconded by Mrs. Collier that eleven (11) resolutions be allowed on the floor under Other Business. Upon roll call, all Supervisors voted Aye. Carried.

RESOLUTION NO. 1-10: ADOPTING RULES OF ORDER FOR THE YEAR 2010

RESOLVED, that the following Rules of Order of the Wayne County Board of Supervisors as presented are hereby adopted as the Rules of Order for the Year 2010:

**WAYNE COUNTY BOARD OF SUPERVISORS
RULES OF ORDER – 2010**

RULE 1. Organizational Meeting

- a. The organizational meeting of the Board shall be held on or before January 8 in each year. Written notice of the time and date of this meeting shall be mailed to all Supervisors by the Clerk at least 48 hours in advance of the meeting. The Clerk shall call the meeting to order and the first order of business shall be to conduct the election of a permanent Chairperson for the ensuing year.
- b. The Chairperson of the Board shall appoint from among the members of the Board a Vice Chairperson to serve at his or her pleasure who, in the absence or inability to act of the Chairperson, shall possess all powers and perform all the duties of the Chairperson of the Board. A vacancy in the Office of Chairperson of the Board shall be filled in accordance with County Law Section 151.
The Board, under the Chairperson, shall then proceed with:

1. The adoption of a time and date for regularly scheduled meetings.
2. The election or appointment of the Clerk, Deputy Clerk, Budget Officer of the Board, County Attorney, and any other elective or appointive officers required by law or desired by the Board.
3. The adoption of the Rules of Order for the ensuing year.
4. Other matters that the Chairperson wishes to bring before this meeting.

RULE 2. Regular Meetings:

Regular meetings of the Board shall be held on the third Tuesday of each month beginning at 9:00 a.m. during January, February, April, May, July, August, October, November and December, and at 7:00 p.m. during March, June, September and for the public hearing on the budget in December, unless amended by a majority of the Board of Supervisors.

RULE 3. Special Meetings:

Special meetings shall be held at the call of the Clerk upon direction of the Chairperson or upon written request signed by a majority vote of the Board. A notice in writing stating the time, place and purpose of the special meeting shall be served personally or by mail upon each member of the Board by the Clerk at least 48 hours before the date fixed for holding the meeting; however, in lieu of this the Chairperson at a regular meeting may announce the time, place and purpose of an adjourned meeting and if the majority of the Board approved it, the adjourned meeting shall be held at the appointed time and place without written notification.

RULE 4. Place of Meetings:

All Meetings shall be held in the Supervisors' Chambers, Court House, 26 Church Street, Lyons, New York, unless otherwise provided for by call.

RULE 5. Quorum:

Members present possessing more than 50% of the total voting power shall constitute a quorum for the transaction of business. If a quorum is not present within 45 minutes after the time set for a meeting, the members present shall adjourn.

RULE 6. Presence of County Attorney:

The County Attorney shall be present during all meetings unless excused by the Chairperson.

RULE 7. Temporary Chairperson:

The Vice Chairperson will serve as acting Chairperson in the absence of the Chairperson at any meeting of the Board of Supervisors. The acting Chairperson shall have and exercise all the powers and duties of the Chairperson at the meeting over which they are called to preside,

RULE 8. Order of Business:

The normal order of business at each session shall be as follows:

1. Call to Order
2. Pledge of Allegiance
3. Invocation
4. Roll Call
5. Approval of Minutes
6. Read Claims
7. Communications
8. Unfinished Business
9. Privilege of the Floor
10. Reports of Standing Committees

11. Reports of Special Committees
12. Resolutions
13. Adjournment

RULE 9. Roll Call:

On roll call, the Clerk shall record by name all members present or absent; shall further record the arrival of any member listed as absent; and the departure of any member listed as present during the course of each meeting.

Any member desiring permanent departure from the meeting prior to the adjournment shall request permission to be excused from the Chairperson.

RULE 10. Approval of Minutes of Previous Meeting:

Minutes of previous meeting shall be read unless waived by the Board by a motion duly made, seconded and adopted.

RULE 11. Payment of Claims:

A. The following procedure regarding the payment of claims shall be in effect commencing January 1, 2010 and terminating February 18, 2010: The Clerk shall have received by the 5th of each month all claims to be paid that month. Each claim shall be approved by the department or committee having authority for the purchase. Claims shall be listed in summary, showing each claim by number and amount and total amount for each department. Claims shall be presented to the Board at regular meeting.

The Clerk shall prepare a summary of claims by Committees and Departments and shall place a copy of such summary on the desk of each member prior to each regular meeting.

The separate items of any bill, account, claim, motion or resolution shall be read if requested by any member.

The Chairperson shall then refer the claims to the appropriate committee Chairperson and the committee shall review and approve them prior to presentation to the Board for audit and approval for payment.

After examination and review of the claims by the committee and there being no objection to any of the claims by any committee or Board member, the Chairperson of the Finance Committee or in his absence a member of that committee, shall move that the claims as audited be approved and that the Clerk shall draw orders on the County Treasurer for payment of same.

Each account or claim, or any item of such account or claim shall be voted on separately by the Board, if requested by any member.

B. Commencing February 19, 2010 the County Auditor will review, process, and approve all claims in accordance with Resolution No. 311-09.

RULE 12. Communications:

The Clerk shall read petitions, notices, departmental reports and other communications and the chair shall take the appropriate action; however, the Chairperson may permit, or, at his pleasure, request a person other than the Clerk to read a communication.

RULE 13. Resolutions and Motions:

Any member may offer a resolution or motion which shall be acted on promptly subject to these rules.

The term resolution as herein used shall mean a formal proposed action in writing. Every appropriation requiring expenditure of funds shall be by resolution. Every resolution shall contain a short title setting forth the purpose of the proposed action. All resolutions shall be filed with the Clerk no later than four days prior to the date of the meeting at which the resolutions are to be presented. All Department Heads will file resolutions and committee agendas with the County Administrator at least one week prior to their standing committee date.

The County Administrator shall refer each resolution originated by a Department Head or Agency to the Standing Committee having jurisdiction over any of the subject matter of the resolution. Referrals will be made by the Standing Committee to all Board committees which have an interest in the issue. The Standing Committee shall promptly act on each resolution referred by the County Administrator and shall submit its report or recommendation on the resolution at the next regular meeting of the Board of Supervisors following such referral. Any changes to the intent, meaning or financial features of a proposed resolution will be referred to the Chairperson of the Standing Committee by the committee meeting secretary prior to inclusion of the matter in the Board of Supervisor's agenda.

In the event a Standing Committee does not submit its report or recommendation at the next regular meeting of the Board of Supervisors, the Board may act on the resolution without further committee consideration and without committee report or recommendation.

Upon the request of any member, any amendment to a resolution shall be reduced to writing.

Resolutions or referrals which are not acted upon before the end of the calendar year do not continue into the next calendar year.

Rule 14. Rules of Debate:

When a question is under debate, the procedure and rules of debate shall be governed by Robert's Rules of Order relative to precedence of motions as follows:

- A Fix the Time at Which to Adjourn:
(requires second, not debatable, may be amended & requires a majority).
- B Adjourn:
(requires second, not debatable, may not be amended & requires a majority).
- C Recess:
(requires second, not debatable, may be amended & requires a majority).
- D Suspend Rules:
(requires second, not debatable, may not be amended & requires a 2/3 vote without previous notice)
- E Lay on the Table:
After a motion is stated and it is in the possession of the Board it may be laid on the table until requested to come back before the Board (may be amended & requires a majority).
- F Previous Question:
(requires second, not debatable, may not be amended & requires a 2/3 vote).

- G Limit or Extend Limits of Debate:
(requires second, not debatable, may be amended, & requires a 2/3 vote).
- H Postpone:
The object is to set a time when a matter must be considered (requires second, debatable, may be amended & requires a majority).
- I Commit or Refer:
(requires second, debatable, may be amended & requires a majority).
- J Hold a Motion:
After a motion is stated and it is in possession of the Board, before discussion or amendment, it may be held until the next meeting day if requested by any member of the Board provided such request is made on his first recognition by the Chairperson, but only one such request shall be granted on only one motion with 2/3 vote.
- K Amend:
(requires second, debatable, may be amended & requires a majority).
- L Postpone Indefinitely:
The object is to kill a local law, resolution, or motion (requires second, debatable, may not be amended & requires a majority).
- M Withdraw:
The maker of a local law, motion, or resolution has the right to request a "Withdraw" at any time. If there is an objection to the request to withdraw, a vote of the Board shall be taken.
- N Take From Table:
Must be "Taken from Table" after tabling motion was made (requires second, not debatable, may not be amended & requires a majority).
- O Reconsider:
To bring up a question for discussion and obtain a new vote. Only one who voted with prevailing side can make this motion, but anybody can second; can only be made on same day (requires second, debatable, may not be amended & requires a 2/3 vote).
- P Rescind:
To annul some action, no matter how old, except where action has been taken that cannot be undone. Rescind a motion any time can be moved by anyone; requires a second, except "to give notice." If "Notice" of the motion to be proposed was given at a previous meeting or pre-filed for this meeting, a majority vote will carry. No "Notice" given requires two-thirds vote to carry (requires second, debatable, may be amended & requires a 2/3 vote without previous notice).
- Q Renew:
Used to reintroduce a local law, resolution, or motion again at a future session. Can be made and seconded by any Legislator (requires second, debatable, may be amended & requires a 2/3 vote without previous notice).

RULE 15. Resolutions, Filing Deadline:

No resolution shall be offered unless it first has been reviewed by the County Administrator and filed with the Clerk of the Board by noon of the fourth working day prior to and not including the day of the session at which it is offered. Any resolution which has been filed in accordance with this rule may be offered by any member of the Board at the next scheduled Board meeting. This rule shall not apply to special meetings of the Board under Rule 3, nor to the Organizational Meeting of the subsequent year, under Rule 1. Any resolution filed with the Clerk of the Board pursuant to this section shall be listed on the agenda under the following title: Rule 15. Resolutions.

RULE 16. All Committees:

Standing or special committees, shall as promptly as possible report to the Board upon such resolutions, communications or other matters as may be referred to them.

RULE 17. Unfinished Business:

All reports, resolutions and other matters laid on the table may be called there from under "Unfinished Business" in the regular order of business. All questions laid over by rule, or by request of any member for one day shall be considered in order on the succeeding day, or at the next session, under the heading of "Unfinished Business".

A list of unfinished business and special orders to be acted upon by the Board shall be kept by the Clerk and listed in the agenda.

A motion to lay a question on the table shall be decided without amendment or debate and a motion to postpone the question indefinitely or to adjourn to a day certain until it is decided, shall preclude all amendments to the main question. All reports, resolutions and other matters laid on the table may be called there by any Board member with approval or a majority vote of the Board.

A motion or a motion for adopting a resolution may be placed on the table by a majority vote and a majority vote will be necessary to take it off the table.

RULE 18. Agenda:

The Clerk shall prepare a statement of the order of business for each meeting of the Board which shall also contain the title and author of each resolution to be presented together with the number to be assigned thereto. The order of business shall be mailed to each Supervisor no later than five (5) calendar days prior to the date of the meeting. Any resolution not set forth in the order of business shall be tabled by the Chairperson until the next meeting of the Board, unless upon motion regularly made, the members present by two-thirds vote authorize the consideration of such resolution.

RULE 19. Amendments:

These rules of order shall be amended only by a two thirds vote of the Board and only after ten days notice, which notice shall be in writing and be filed with the Clerk and shall specify the particulars of such proposed amendments. Notice shall be given to members of the Board by the Clerk as directed by Committee No. 5.

RULE 20. Suspension of Rules:

Any rule may be suspended by the unanimous consent of the members present, but the suspension of such rule shall apply only to those matters which shall be before the Board at the time of such suspension.

RULE 21. Addressing the Board:

Before speaking, a member shall request recognition by the Board Chair. Upon being recognized, the member shall rise and address the Chair. While a member is speaking, no member shall entertain any private discourse, or pass between him and the Chair. When the Board Chair is putting a question, no member shall walk about or out of the room.

No member shall speak on any question without first raising his or her hand, and upon being recognized by the Board Chair may proceed. When two or more members raise their hands at the same time the Chair shall name the member who shall speak first.

RULE 22. Call to Order:

A member called to order shall immediately sit down unless permitted to explain. If an appeal be taken from the decision of the chair, the Board shall decide the case without debate and the question shall be stated by the chair to be "Shall the decision of the chair stand as the judgment of the Board?"

RULE 23. Voting Requirement:

Every member present when a motion is stated from the chair shall vote thereon, unless excused by the Chairperson, or unless he is directly interested in the motion, in which case, if he chooses, he may be excused from voting. Every member requested to be excused from voting may make a brief and verbal statement of the reason for his request. The Chairperson in all cases has the right to vote and when the vote is equally divided, including his vote, the question shall be lost.

RULE 24. Required Ayes and Nays:

Taking into consideration Rule 33, hereafter, at the Chairperson's discretion with the Boards' consent, the ayes and nays shall be taken by vote on any resolution appropriating money, levying taxes, confirming reports of committees and making appointments and fixing salaries and upon any other motion or resolution when demanded by any member of the Board.

RULE 25. The Order of Rules:

When a question is under debate, no motion shall be entertained unless for adjournment of the Board, for the previous question, to place on table indefinitely, to place on table for a certain day, to hold, to amend it. These several motions shall have precedence in the order in which they are here stated and shall not be subject to debate.

RULE 26. Several Propositions:

If the question in debate contains several distinct propositions, the same may be divided by the Chairperson at the request of any member to the end that a vote may be taken on each proposition.

RULE 27. Privilege of the Floor:

Privilege of the floor for members of the public other than members of the Board of Supervisors shall extend to any person appearing for him/herself in which case each individuals appearing shall be limited to three minutes; and to persons representing any group in which case there shall be allowed only one spokesman for the group, who shall be limited to a maximum time of five minutes. Any person requesting this privilege shall be limited to subject matter appearing on the agenda. All speakers must sign up with the Clerk at least 15 minutes before the starting time of the Board meeting. The total amount of time allowed for Privilege of the Floor at a Board meeting will be limited to 30 minutes. The Chairperson of the Board shall have the authority to place additional time limits on how long individuals may speak.

RULE 28. Motion to Reconsider:

No motion for reconsideration shall be in order unless made on the same day, or the meeting day next succeeding that on which the decision proposed to be reconsidered took place. A motion to reconsider must be made by a member who voted with the majority on the decision of the motion or resolution proposed to be reconsidered. When a motion to reconsider has been defeated, it shall not again be submitted to the Board.

RULE 29. Motion to Rescind:

A motion to rescind can only be entertained when moved by a member who voted with the majority in the action which is proposed to rescind, and requires the affirmative vote of a majority of the total members of the Board.

RULE 30. Weighted Voting:

Until such time as the apportionment of the voting power of members of the Board is revised, it is as follows:

	<u>Simple</u>	
	<u>Majority</u>	<u>2/3</u>
Arcadia	630	706
Butler	105	101
Galen	206	200
Huron	98	97
Lyons	265	280
Macedon	393	395
Marion	228	213
Ontario	439	420
Palmyra	351	323
Rose	114	105
Savannah	86	90
Sodus	403	400
Walworth	381	387
Williamson	310	301
Wolcott	<u>216</u>	<u>207</u>
Total	4225	4225

Whenever in these rules of order there is reference to a majority vote or a two-thirds vote of the Board, it means a majority of the voting power of the members of the Board or two-thirds of the voting power of the Board. A total of 2113 affirmative votes shall be required for the adoption of any resolution, local law, motion or proposal requiring a simple majority vote. A total of 2817 affirmative votes shall be required for the adoption of any resolution, local law, motion or proposal requiring a two-thirds majority vote. The figures utilized for the above weighted voting system were provided by the National Ten-Year Censes.

RULE 31. Committee Vote and Records:

Because committee reports and recommendations are not binding, Standing Committees shall not use a weighted vote in committee recommendations, however, any member of the Board in compliance with Rule 15 may offer a motion or resolution regarding any matter referred to Committee with or without the benefit of the Committee's report or recommendation. The Standing Committee shall report to the full Board the names of members in favor of or opposed to any measure which is not unanimous. If there is dissent in committee, a member of the dissenting group may present a report of the minority to the Board. Each committee shall take attendance and keep summary minutes of business transacted, said minutes to be turned over to the Clerk for record.

Any member of the public wishing to address a Committee shall give three business days

prior notice to the County Administrator, said notice shall consist of the person's name, address and the subject matter that they wish to discuss. The County Administrator shall then determine the appropriate standing committee and discuss with the Committee Chairman and the Chairman of the Board of Supervisors, adding said member of the public to said committee agenda. The County Administrator shall notify members of the public whether they have been added to a committee's agenda prior to the committee meeting. Individuals appearing before a committee shall be limited to a five minutes presentation. If more than one person represents any group, there shall be allowed only one spokesperson for the group.

RULE 32. Order of Voting:

The Clerk shall maintain a record of order of voting by roll call and the first call for a vote on motions and resolutions shall be rotated in alphabetical order by towns.

RULE 33. Short Roll Call:

In conjunction with Rule 24, the Chairperson may ask for a short roll call on a matter having no controversy or debate, and hearing no objection, the Clerk may ask for the vote of the Supervisors from Arcadia and Wolcott, or first and last towns alphabetically present at meeting, and if their vote is in agreement the vote will be recorded as unanimous. If there is disagreement, there shall be a full roll call.

RULE 34. Standing Committees:

The Chairman of the Board shall appoint the Standing Committees within ten days from the date of organization in January and file a list of the same with the Clerk. The Chairperson may make temporary appointments to fill vacancies on any committee caused by the resignation or death of a member. In case of the absence of the Chairperson of any committee at any meeting, the second named member on the committee list shall act as temporary Chairperson.

The County Administrator and standing committees shall hold meetings with department heads and shall recommend purchases and be generally responsible to the Board for the orderly operation of the affairs under the committee. The committee not only has the power of making recommendations to the Board but shall make recommendations on all committee matters.

Any direct costs incurred by a member in performing the duties of a committee and mileage expenses to and from meetings shall be reimbursed to him/her by the county.

No. 1

5 Members

FINANCE COMMITTEE

- a. County Treasurer
 - tax advertising
 - contingency fund
 - projects
 - community college
 - liability and causality reserve fund
 - unallocated insurance
 - judgment and claims
 - expenses on acquired property
 - hospital and medical insurance
 - interfund transfers
 - serial bond
 - library
 - Medical Scholarship

- Educational TV
- b. Information Technology
- c. Real Property Tax
- d. County Auditor

No. 2 5 Members

- PUBLIC SAFETY COMMITTEE
- a. Sheriff
 - b. E-911
ALS
 - c. Probation
 - d. District Attorney
animal abuse investigations
grant jury
crime victims' Board
 - e. Public Defender
 - f. Legal Defense of Indigents
 - g. Emergency Management Services
 - h. Mutual Aid
 - i. Stop DWI
 - j. Coroner
 - k. Pre-Trial Services
 - l. Justice and Constables

No. 3 5 Members

- PUBLIC WORKS COMMITTEE
- a. Highway machinery
 - b. Central Garage
 - c. Buildings and Grounds
 - d. Consumer Affairs
 - e. Soil and Water Conservation

No. 4 5 Members

- ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE
- a. Economic Development--Industrial Development Site
 - b. Planning
solid waste
joint municipal projects
agricultural districts
 - c. Tourism/Publicity
 - d. Bus Operations
 - e. Cooperative Extension
 - f. Palmyra Union Ag. Society
 - g. Fish and Game

No. 5 5 Members

- GOVERNMENT OPERATIONS COMMITTEE
- a. Legislative Board
rules of order
inter-municipal
re-appointments
County Administrator
 - b. Clerk of the Board
mailing

- Court House copier
- un-distributed postage
- County officer dues
- c. County Clerk
- d. County Attorney
- e. Board of Elections
- f. Personnel Department
 - civil services
 - salaries and benefits
 - workers' compensation
 - human resources
 - employee relations
 - union negotiations
 - staff development
 - education and training
 - employee safety
 - handicapped access
 - affirmative action
 - new position re-classification
 - cafeteria plan
- g. Print Shop
- h. Historian

No. 6 5 Members

- HEALTH AND MEDICAL SERVICES COMMITTEE
- a. Nursing Home
- b. Public Health
- c. Mental Health

No. 7 5 Members

- HUMAN SERVICES COMMITTEE
- a. Social Services
- b. Aging and Youth
- c. Workforce Development
- d. Veterans' Services
- e. Wayne County Action Program

RULE 35. Special Committees:

Special Committees may be authorized at any legal meeting of the Board. They shall, unless otherwise ordered or directed by a majority of the Board, be appointed by the Chairman of the Board. The period of time that a special committee shall serve shall be designated when it is created. Any person appointed to a special committee shall be notified in writing of such appointment by the Clerk.

RULE 36. Committee Meetings:

A meeting of the committee may be called by a majority of the committee. No Committee shall meet without the Committee Chairperson notifying the members of the committee and a majority of the members must be present to act.

RULE 37. Executive Session:

On motion of any member duly seconded and carried by a majority vote, the Board shall go into executive session, presided over by the Chairperson of the Board, during which time any matters permitted under the New York State Open Meeting Law may be discussed, debated and voted upon. Only members of the Board shall participate in the executive

session and such other persons may be called into the session as may be necessary.

RULE 38. Minutes

The minutes of the Board shall be printed monthly and delivered by the Clerk of the Board on or before the regular meeting of the Board for the next succeeding month.

RULE 39. Parliamentary Law:

All questions not covered by the rules shall be decided according to Robert's Rules of Order.

RULE 40. Adopted Rules:

Said adopted rules shall control until permanent Chairperson seated and new rules of order are adopted.

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

RESOLUTION NO. 2-10: OFFICIAL NEWSPAPER DESIGNATIONS FOR 2010

Mrs. Bender presented the following:

RESOLVED, pursuant to Section 214(2) of the County Law, the Wayne County Board of Supervisors hereby designates *The Times of Wayne County*, published in Macedon, New York and *The Sun and Record*, published in Williamson, New York as official newspapers for the publications of all Local Laws and Notices and other matters as required by law to be published; and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to all County Offices and Departments and each of the above-named newspapers.

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

RESOLUTION NO. 3-10: AUTHORIZATION FOR CLERK TO PURCHASE SUPPLIES FOR THE BOARD OF SUPERVISORS FOR 2010

Mrs. Bender presented the following:

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to purchase necessary stationery and supplies for the Board of Supervisors for the year 2010.

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

RESOLUTION NO. 4-10: ADOPTION OF INVESTMENT POLICY FOR THE COUNTY OF WAYNE FOR 2010

Mrs. Bender presented the following:

RESOLVED, that the following policy is hereby adopted:

INVESTMENT POLICY FOR THE COUNTY OF WAYNE

I. SCOPE:

This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

II. OBJECTIVES

The primary objectives of the County of Wayne's investment activities are, in the priority order,

- * To conform with all applicable federal, state and other legal requirements (legal);
- * To adequately safeguard principal (safety);
- * To provide sufficient liquidity to meet all operating requirements (liquidity); and
- * To obtain a reasonable rate of return (yield).

III. DELEGATION OF AUTHORITY:

The governing board's responsibility for administration of the investment program is delegated to the County Treasurer, who shall establish a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

IV. PRUDENCE:

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the County of Wayne to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION:

It is the policy of the County of Wayne to diversify its deposits and investments by financial institution, by investment instrument, and maturity scheduling.

VI. INTERNAL CONTROLS:

It is the policy of the County of Wayne for all moneys collected by any officer or employee of the government to transfer those funds to the County Treasurer within 5 days of deposit, if less than \$500, the same day of deposit, if more than \$500, or within the time period specified in law, whichever is shorter.

The County Treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITORIES:

Pursuant to Section 212 of the County Law and Section 10 of the General Municipal Law, the depositories designated by the County of Wayne shall be any bank or trust company authorized to do business in the State of New York; each such depository shall be limited to \$50,000,000 of deposits at any one time.

VIII. COLLATERALIZING OF DEPOSITS:

In accordance with the provisions of General Municipal Law, 10, all deposits of the County of Wayne, including certificates of deposits and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured by:

1. obligations of New York State
2. obligations of the United States
3. obligations of federal agencies, where the principal and interest are guaranteed by the United States
4. obligations of New York State local governments.

IX. SAFEKEEPING AND COLLATERALIZATION:

Eligible securities used for collateralizing deposits shall be held by (the depository and/or a third party) bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the County of Wayne to exercise its rights against the pledged securities. In the event that the securities are not registered or

inscribed in the name of the County, such securities shall be delivered in a form suitable for transfer or with assignment in blank to the County or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the County will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the County a perfected interest in the securities.

X. PERMITTED INVESTMENTS:

As authorized by General Municipal Law, 11, the County of Wayne authorizes the County Treasurer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- * Special time deposit accounts;
- * Certificates of Deposits;
- * Obligations of the United States of America;
- * Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- * Obligations of the State of New York;
- * Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorize such investment;
- * Certificates of Participation (COPS) issued pursuant to GML, 109-b;
- * Obligations of the County of Wayne, but only with any moneys in a reserve fund established pursuant to GML, 6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the County of Wayne within such times as the proceeds will be needed to meet expenditures for the purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the County of Wayne within two years of the date of purchase.

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS:

The County of Wayne shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution and dealer. All financial institutions with which the County of Wayne conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the County of Wayne. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The County Treasurer is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

XII. PURCHASE OF INVESTMENTS:

The County Treasurer is authorized to contract for the purpose of investments:

1. Directly from an authorized trading partner.
2. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the County of Wayne, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the County Treasurer. All such transactions shall be confirmed in writing to the County

of Wayne by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, 10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the County of Wayne, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with, or become a part of the backing for any other deposits or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

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

RESOLUTION NO. 5-10: AUTHORIZATION FOR COUNTY TREASURER TO TRANSFER GENERAL FUND CASH TO ALL FUNDS WHEN REQUIRED

Mrs. Bender presented the following:

WHEREAS, the County has in the past, authorized the transfer of General Fund cash to other Funds in the County on an as needed basis; and

WHEREAS, the County is desirous of continuing this procedure during 2010 when required; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the County Treasurer to transfer cash from the General Fund to other Funds on an as needed, temporary basis; and that any transfer is only temporary and must be returned to the General Fund before the end of the fiscal year; and be it further

RESOLVED, that the County Treasurer is hereby directed to inform the County Administrator of a required transfer prior to the transfer being made and report said transfers to the Finance Committee at its next regular committee meeting after the transfer is made.

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

RESOLUTION NO. 6-10: AUTHORIZE ADOPTING THE 2010 WAYNE COUNTY HEALTH CARE PLAN AND AMENDING THE 2010 COUNTY BUDGET FOR THE MS FUND

Mrs. Bender presented the following:

WHEREAS, the 2010 County Budget needs to be amended for the costs associated with the Health Care Trust; now, therefore, be it

RESOLVED, that pursuant to Article 6 of the Wayne County Health Care Plan Trust Agreement, the Wayne County Board of Supervisors does hereby approve the 2010 budget for the Health Care Plan and authorize the County Treasurer to amend the 2010 Budget as follows:

REVENUES:

MS9060.41616 Self Pays	\$ 240,900
MS9060.42401 Interest Earnings	\$ 2,500
MS9060.42680 Insurance Recoveries	\$ 425,000
MS9060.42709 Employee Contributions	\$ 1,605,450
MS9060.42710 Town/Village Contributions	\$ 910,280
MS9060.42801 Interfund Revenues	\$10,606,100
TOTAL REVENUES	\$13,790,230

APPROPRIATIONS:

MS1710.54000 Contractual Expense	\$ 368,940
MS1710.54300 Insurance	\$ 304,200
MS1710.54501 Accountants & Auditors	\$ 4,600

MS1710.54506 Attorneys	\$ 5,000
MS9060.58400 Hospitalization Expense	\$13,107,490
TOTAL APPROPRIATIONS	\$13,790,230

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

RESOLUTION NO. 7-10: APPOINTMENT OF WAYNE COUNTY ATTORNEY

Mrs. Bender presented the following:

RESOLVED, that Daniel M. Wyner is hereby appointed to the position of Wayne County Attorney for a two-year term of office commencing January 1, 2010 through December 31, 2011.

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

RESOLUTION NO. 8-10: APPOINTMENT OF WAYNE COUNTY PUBLIC DEFENDER

Mrs. Bender presented the following:

RESOLVED, that Ronald C. Valentine is hereby appointed to the position of Wayne County Public Defender for a one-year term of office commencing January 1, 2010 to December 31, 2010.

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

RESOLUTION NO. 9-10: APPOINTMENT OF WAYNE COUNTY ADMINISTRATOR

Mrs. Bender presented the following:

RESOLVED, that James A. Marquette is hereby appointed to the position of County Administrator for a two-year term of office commencing January 1, 2010 through December 31, 2011.

Mr. LeRoy 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. 10-10: APPOINTMENT OF WAYNE COUNTY AUDITOR

Mrs. Bender presented the following:

RESOLVED, that Linda D. Harissis is hereby appointed to the position of Wayne County Auditor for a two-year term of office commencing January 1, 2010 through December 31, 2011.

Mrs. Bender moved, seconded by Mr. Manktelow, that the "RESOLVED" clause be amended as follows:

"RESOLVED, that Linda D. Harissis is hereby appointed to the position of Wayne County Auditor for a two-year term of office commencing January 1, 2010 through December 31, 2011, subject to the conditions of employment."

Motion carried.

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

RESOLUTION NO. 11-10: APPOINTMENTS TO WAYNE COUNTY INDUSTRIAL DEVELOPMENT AGENCY FOR 2010

Mrs. Bender presented the following:

WHEREAS, the Wayne County Industrial Development Agency was formed pursuant to Chapter 916 of the laws of 1969, which provide that members of the Agency be appointed by the governing body of the County of Wayne; and

WHEREAS, pursuant to Resolution No. 145(69) adopted by the Wayne County Board of Supervisors, provided that one member of said Agency should be the Chairman of the

Wayne County Board of Supervisors and one member should be the Chairman of the Planning Committee of the Wayne County Board of Supervisors; now, therefore, be it

RESOLVED, that pursuant to Resolution No. 145(69) and Section 890 of the General Municipal Law, the following are hereby appointed as members of the Wayne County Industrial Development Agency:

- 1) James. D. Hoffman, Chairman of the Wayne County Board of Supervisors
- 2) David Spickerman, Sr., Chairman of the Economic Development and Planning Committee of the Wayne County Board of Supervisors; and be it further

RESOLVED, that said members shall serve at the pleasure of the Wayne County Board of Supervisors and each member shall continue to hold office until his successor is appointed and has qualified; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to send a certified copy of this Resolution to the Secretary of State, New York State Department of State, as well as the Wayne County IDA.

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

OTHER BUSINESS

Ms. Park moved, seconded by Mr. Kelsch that one (1) additional resolution be allowed on the floor under Other Business. Upon roll call, all Supervisors voted Aye. Carried.

RESOLUTION NO. 12-10: AUTHORIZING THE RENEWAL OF THE CONTRACT FOR PROFESSIONAL SERVICES FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, Catherine Chabrier has provided consultant services to the Wayne County Nursing Home; and her contract expired on December 31, 2009; and

WHEREAS, the Wayne County Nursing Home must maintain its compliance program in accordance with the Deficit Reduction Act of 2005 (DRA); and the Wayne County Nursing Home must retain the services for the oversight of its Compliance Program; and

WHEREAS, the Wayne County Nursing Home is desirous to renew the contract with Catherine Chabrier at a fee of \$36 an hour for a maximum of \$65,000 a year for the purpose of complying with the provisions of the above regulations; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to sign a contract effective January 1, 2010 through December 31, 2010 on behalf of the Wayne County Nursing Home, subject to the County Attorney's approval as to form and content, with Catherine Chabrier for the provision of the above-mentioned services at a fee of \$36 an hour for a maximum of \$65,000 a year.

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

EXECUTIVE SESSION:

At 9:26 a.m., Mrs. Collier moved, seconded by Mr. Lauderdale, that the Board go into Executive Session to discuss a personnel matter. Upon roll call, carried.

REGULAR SESSION:

At 10:18 a.m., Mr. Lauderdale moved, seconded by Mr. Colacino that the Board resume regular session. Carried.

Chairman Hoffman announced that pursuant to Rule No.1 within the 2010 Rules of Order that were adopted today, the Board has selected Mrs. Lucinda Collier to serve as Vice-Chairperson for the 2010 year.

ADJOURNMENT:

Chairman Hoffman announced that the next regular meeting of the Board is scheduled

for Tuesday, January 19, 2010 at 9:00 a.m.

On motion of Mr. Lauderdale and Mr. Colacino, the Board adjourned at 10:23 a.m.
Carried.

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

2nd Day
Tuesday, January 19, 2010
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 Chairman Hoffman, followed by the invocation.
Upon roll call, all Supervisors were present.
County Administrator James Marquette and County Attorney Daniel Wyner were also present.

APPROVAL OF MINUTES:

Ms. Park moved, seconded by Mrs. Collier, 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:

Committee No. 1	Finance	
A13202	County Auditor	696.96
A13204	County Auditor	245.89
A13254	Treasurer	1,476.21
A13554	Assessment - Real Property Tax	1,358.41
A16804	Information Technology	23,518.54
A19104	Unallocated Insurance	131,555.00
A19304	Judgments & Claims	35,853.64
A24904	Community College	<u>75,896.01</u>
		270,600.66
Committee No. 2	Public Safety	
A11654	District Attorney	14,468.68
A11704	Public Defender	3,856.79
A11724	Legal Defense of Indigents	67,708.09
A11734	Wayne Pre-Trial Services, Inc.	9,219.92
A11854	Coroner	9,064.93
A11904	Grand Jury	2,264.66
A31104	Sheriff	7,392.04
A31112	Sheriff - Recreational Safety	17,412.00
A31114	Sheriff - Recreational Safety	5,872.58
A31124	Sheriff - Civil Office	249.60
A31142	Sheriff - Road Patrol	1,733.62
A31144	Sheriff - Road Patrol	1,619.02
A31152	Sheriff - Detective Unit	868.86
A31154	Sheriff - Detective Unit	3,033.90
A31164	Sheriff - Court Security	875.00
A31174	Animal Abuse Investigations	363.98
A31404	Probation	9,958.72

A31504	Sheriff - Jail	87,090.46
A33154	Stop DWI	7,291.59
A34102	Mutual Aid (Fire Coordinator)	134.10
A34104	Mutual Aid (Fire Coordinator)	92,465.61
A36402	Emergency Management Office	58,913.07
A36404	Emergency Management Office	28,834.68
A36424	E911 Communications	10,866.49
A36444	ALS Services	<u>7,669.05</u>
		449,227.44
Committee No. 3 Public Works		
A16152	Buildings & Grounds	21,528.46
A16154	Buildings & Grounds	165,236.50
A16404	Central Garage	11,540.77
A87304	Soil Conservation	70,701.06
D50104	Highway Administration	1,586.43
D50204	Highway Engineering	5,180.65
D51104	Maintenance of Roads & Bridges	50,390.09
D51122	Road Construction	47,901.58
D51424	Snow Removal - County	100,754.82
DM51304	Road Machinery	70,841.83
H19252	Co Bldg Renovation-ONH	<u>52,187.80</u>
		597,849.99
Committee No. 4 Economic Development & Planning		
A63264	Economic Development Admin	147,166.66
A64104	Publicity (Tourism)	3,698.46
A64114	Tourism Matching Funds Program	15,068.68
A80204	Planning Board	42,805.94
A80254	Regional Planning Board	9,970.00
A81604	Solid Waste Management	285,973.25
A86874	Economic Development Zone Admn	7,665.00
A87524	Palmyra Union Ag Society	10,530.00
A87544	County Extension Serv	<u>106,161.75</u>
		629,039.74
Committee No. 5 Government Operations		
A10104	Legislative Board	5,945.74
A10404	Clerk Legislative Board	968.79
A12304	County Administration	489.76
A14102	County Clerk	2,900.00
A14104	County Clerk	2,011.83
A14204	County Attorney	3,406.20
A14302	Human Resources	1,418.00
A14304	Human Resources	1,963.85
A14502	Board of Elections	600.00
A14504	Board of Elections	28,835.26
A16704	Undistributed Meter Postage	1,704.00
A16714	Printing Department	3,768.45
A19204	County Officers Assoc/NACA	8,725.00
A75102	County Historian	159.50
A75104	County Historian	462.41
MS17104	Administrative Fees	<u>48,288.35</u>
		111,647.14
Committee No. 6 Health & Medical Services		
A40104	Public Health	6,090.93
A40114	Public Health Service	44,671.79

A40164	PH - Early Intervention 0-1	104,172.22
A40174	PH - Child w/Spec Needs 3-5	505,332.19
A40184	Public Health Education	2,821.11
A40194	Wayne Community Nursing Care	22,378.32
A40204	PH - EMS Coordinator	1,902.84
A43004	Behavioral Health	116,834.31
A43224	Community Providers	185,710.00
E60002	NH Combined	1,676.75
E60004	NH Combined	<u>261,885.76</u>
		1,253,476.22

Committee No. 7 Human Services

A60104	Administration	76,721.88
A60704	Purchase of Services	3,367.40
A61094	Family Assistance	160.00
A61234	Juv Delinquent Care	36,475.13
A61294	State Training School	548,103.95
A61404	Safety Net	320.00
A62114	Title V Senior Comm Service	58.73
A62124	WFD/DSS Intensive Employment	1,147.90
A62144	Economic Opportunity & Develop	474.05
A62164	WFD-DSS TEAP	74.58
A62174	WFD-DSS WAGE SUBSIDY	281.13
A62182	WFD-PROJECT VETERAN RETURN	608.00
A62184	WFD-PROJECT VETERAN RETURN	7,899.78
A62934	WIA Adult	426.38
A62944	WIA Dislocated	949.89
A62954	WIA Youth	708.82
A62994	WFD-Administration	52.55
A65104	Veteran Services	1,952.16
A67722	Area Agency on Aging	213.00
A67724	Area Agency on Aging	87,203.85
A73102	Youth Bureau	330.55
A73104	Youth Bureau	37,704.50
A73114	Youth Program - Recreation	<u>2,295.04</u>
		807,529.27

Warrant Total	\$ 4,119,370.46
During the Month Utilities	\$ 138,778.14
Miscellaneous Disbursements	\$ 289,717.23

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:

A copy of the Sheriff's Cash Receipts Report for the month of December 2009 in the amount of \$15,787.10.

A note from Aviella Winder, thanking the Board for the proclamation she received and for the opportunity to sing a patriotic tribute to Mr. Fabino and everyone else at the December Board Meeting.

A recertification letter from the NYS Department of Health for acceptable compliance of the Medicare/Medicaid Survey of the Wayne County Nursing Home and Rehabilitation Facility.

A copy of Resolution No. 36-2009, entitled "Opposing the Privatization of the Wayne

County Recycling Program for Wayne County Residents” was received from the Town of Savannah.

A letter from Marjory Allen Perez, thanking the Board for the honor of being awarded the Mildred Taylor–Daniel L. Kane Award for 2009. Mrs. Perez will be donating the funds back to Wayne County to enable the Historian’s Office to accomplish a specific project which will assist other researchers of local history.

A copy of a letter from the NYS Department of Agriculture and Markets commending the Town of Butler for their initiatives and efforts in developing the Town’s Ag and Farmland Protection Plan.

A letter of encouragement from Arthur Crandon, resident of the Town of Lyons, to strongly consider keeping the Western Finger Lakes Recycling Program in operation.

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

A copy of the Western Finger Lakes Solid Waste Management Authority’s 2010 Budget.

Copy of the November 4, 2009 minutes for the VA Medical Center Community Council Meeting.

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

BIDS:

Wayne County Highway Department

- Traffic Zone Paint
- Ridge Road Rehabilitation Stimulus Project

Mrs. Bender moved, seconded by Mrs. Crane, that the bids be referred to the appropriate committees for review. Upon roll call, carried.

ANNUAL REPORTS:

Wayne County Weights and Measures

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

PROCLAMATIONS, AWARDS AND ACKNOWLEDGEMENTS:

On behalf of the Board, Chairman Hoffman presented separate proclamations to the Williamson Central High School Girls’ Cross Country Team and the Williamson Central High School Girls’ Soccer Team for their accomplishments in winning Championship titles.

Supervisors Bender and Plant, on behalf of the Board, along with District Attorney Richard Healy, took this opportunity to present Proclamations of Appreciation to both, Sandra DeVolder for her 27 years of service, as well as, Richard C. Wunder, for his 35 years of service, working in the District Attorney’s office and for the citizens of Wayne County.

Sheriff Barry Virts, Supervisor Bender and Supervisor Plant presented a Proclamation of Appreciation to Doyle J. Denosky for his 38 years of service to the Wayne County Sheriff’s Department.

Sharon Lilla, Wayne County Planning Director, Sodus Town Supervisor Steve LeRoy and Brett DeRoo, Senior Planner, presented a Proclamation of Appreciation to Godfrey “Doc” Malchoff for his 41 years of dedicated service as the Town of Sodus representative to the Wayne County Planning Board.

Chairman Hoffman requested the Board to take a 10 minutes recess at 9:28 a.m.

The Board resumed regular session at 9:38 a.m.

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.

RESOLUTION NO. 013-10: AUTHORIZATION TO ADOPT CHANGES TO THE WAYNE COUNTY PURCHASING POLICIES AND PROCEDURES AND SUPERSEDE RESOLUTIONS

Mr. Hammond presented the following:

WHEREAS, the State of New York has amended its General Municipal Law Section 103 on Complete bids for "public works contracts" by raising the amount in which a competitive bid shall be sought for from \$20,000.00 or more to \$35,000.00 or more; and

WHEREAS, the County of Wayne is desirous of including this change in its Purchasing Policies and procedures; now, therefore, be it

RESOLVED that the following Purchasing Policies and Procedures are hereby adopted:

PURCHASING POLICIES AND PROCEDURES

I. PURCHASING SYSTEM MISSION STATEMENT

The Wayne County Purchasing System dedicates itself to procuring goods and services for the various county departments in a timely manner assuring the prudent and economical use of public monies in the best interest of the taxpayers of Wayne County. It will facilitate the acquisition of goods and services at the lowest possible cost and guard against favoritism, extravagance and fraud. The intent is to further these goals by utilizing internal policies and procedures as adopted by the Board of Supervisors.

II. GENERAL POLICY AND PROCEDURE GUIDELINES:

1. The administration of the County Purchasing System shall be the responsibility of the County Purchasing Agent.
2. All purchase order procedures developed by the Purchasing Agent and approved by the Finance Committee shall comply with all applicable laws of the State of New York.
3. In accordance with General Municipal Law Section 103, competitive bids shall be sought for "purchase contracts" of \$10,000 or more and "public works contracts" of \$35,000 or more.
 - a. "Purchase contracts" applies to procurement of commodities.
 - b. "Contracts for public works" encompass contracts for services, labor or construction.
 - c. When a contract involves acquisition of both goods and services such as a commodity which requires installation, the contract should be viewed as a purchase for the purpose of determining the competitive bidding monetary threshold if the services are minor, incidental, or customarily provided by the vendor as a component of the purchase.
 - d. Conversely, if the services are extensive, substantial or involve specialized skills so that the acquisition of the commodity is incidental to the work, the contract should be treated as a contract for public works.
 - e. Competitive bidding is required when it is known or can be reasonably anticipated that the aggregate amount to be spent on purchases of an item will exceed the dollar threshold over the course of a fiscal year.
4. All estimated purchase contracts of:
 - a. Less than \$10,000 but greater than \$2,000 require a written request for proposal (RFP) and written quotes from three (3) vendors.
 - b. \$2,000 or less but greater than \$250 require an oral request for the goods and quotes from three (3) vendors.
 - c. \$250 or less left to the discretion of the purchaser.

5. All estimated public works contracts of:
 - a. Less than \$35,000 but greater than \$10,000 requires a written request for proposal (RFP) and proposals from three (3) contractors.
 - b. \$10,000 or less but greater than \$3,000 require a written RFP and proposals from three (3) contractors, if possible.
 - c. \$3,000 or less are left to the discretion of the purchaser.
6. Any written RFP shall describe the desired goods, quantity and the particulars of delivery, or the desired public works. The Purchaser shall compile a list of all vendors from whom quotes have been requested and the quotes offered. The completed list shall be submitted to the Purchasing Agent.
7. No County department, administrative unit, or agency shall advertise for bids for any construction, reconstruction, or renovation project until all contract documents have been reviewed and approved as to form by the County Attorney. A Statement of General Conditions with all specifications will be included with each bid package. These general conditions will be incorporated in all contracts awarded for the purchase of materials, equipment and supplies.
8. All information gathered in complying with the procedures of this guideline shall be preserved by the Purchasing Agent and filed with the documentation (vouchers) supporting the subsequent purchase or public works contract.
9. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchasing Agent has verified that a written justification providing reasons why it is in the best interest of the County and its taxpayers to make an award to other than the low offeror has been submitted by the Purchaser. If an offeror is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement (voucher).
10. A good faith effort shall be made to obtain the required number of proposals or quotations. If a purchaser is unable to obtain the required number of proposals or quotations, the Purchasing Agent shall document the attempts made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotations be a bar to the procurement.
11. Except when directed by the Board of Supervisors, no solicitation or written proposals or quotations shall be required under the following circumstances:
 - a. Emergencies (An emergency may be deemed to exist when there is an immediate and existing condition which is creating an imminent danger to public property or to the life, health, safety, or property of the residents of the County, and which makes further delay to comply with the prescribed purchasing procedures unwarranted. The existence of an emergency shall be confirmed through consultation with the County Administrator, Standing Committee Chairperson and Chairman of the Board of Supervisors);
 - b. Sole source situations;
 - c. Goods purchased under State contract pursuant to General Municipal Law, Section 104;
 - d. Goods purchased from the blind and/or severely handicapped;
 - e. Goods purchased from correctional facilities;
 - f. Goods purchased from another governmental agency;
 - g. Goods purchased at auction;
 - h. Goods purchased for \$250 or less;
 - i. Public works contracts for less than \$1,000;
 - j. Goods purchased under a public cooperative bid in which the County is a participant.
12. Every purchase of equipment paid from County funds (except purchases by the County Highway Department) shall be subject to the following procedure:
 - a. If the equipment purchase is subject to the bidding requirements of Section

- 103 of the General Municipal Law, the advertisement for bids must have prior approval by resolution of the Board of Supervisors.
- b. No equipment, except items listed on the Equipment Addendum attached to the County Budget, may be purchased without review by the Standing Committee, Finance Committee and prior approval by resolution of the Board of Supervisors.
 - c. Items listed on the Equipment Addendum attached to the current duly adopted County Budget may be purchased with approval of the County Administrator.
13. Every purchase of equipment and /or machinery made by the County Highway Department shall be subject to the following procedure:
 - a. The Superintendent of Highways may purchase any item of machinery or equipment of the value of less than \$5,000 without prior approval, within the limits of funds appropriated for such purposes.
 - b. Any purchase of an item of machinery or equipment of a value of \$5,000 but less than \$10,000 must have the prior approval of the Highway Committee of the Board of Supervisors.
 - c. Any purchase of an item of machinery or equipment of a value of \$10,000 or more shall be made subject to the bidding requirements of Section 103 of the General Municipal Law and Section 408-a of the County Law, unless the purchase is made under State Contract pursuant to Section 104 of the General Municipal Law. The advertisement for bids, or the purchase under State contract, must have prior authorization by resolution of the Board of Supervisors.
 14. The following policy shall apply for professional services and consultants:
 - a. \$1 - \$5,000: Selection of the contractor will be at the discretion of the Department Head, and with the approval of the Standing Committee and the Board of Supervisors.
 - b. \$5,001 - \$15,000: Prices will be obtained by formal written quotes from at least three (3) sources, if possible, and the award will be made at the recommendation of the Department Head and the Standing Committee and with the approval of the Board of Supervisors.
 - c. \$15,001 or more: Prices will be obtained by RFP, with the award of contract being made at the recommendation of the Department Head and the Standing Committee with the approval of the Board of Supervisors. Awards to other than the lowest proposer must be properly documented with the rationale/reason for rejection of the lowest price.
 15. The Purchasing Agent will maintain adequate documentation of all action taken in connection with each method of procurement as outlined herein. Such documentation shall include but not be limited to any and all Board resolutions, memoranda, written quotes, telephone logs (for verbal quotes), requests for proposals, proposals, contracts and any other appropriate form of documentation.
 16. Opportunity will be provided to all responsible vendors to submit proposals, quotes or bids. To this end the Purchasing Agent will develop and maintain lists of potential vendors for various types of materials, equipment and supplies. Such lists will be used in the development of a mailing list for distribution of specifications and invitations to bid. Any vendor may be included on the list upon individual request or referral by a department head.
 17. Any decision to standardize a particular type or kind of equipment, materials or supplies shall be made in accordance with Section 103 of the General Municipal Law.
 18. No county official or employee will have a financial interest in contracts entered into by the County as defined in Section 800 of the General Municipal Law. This

also precludes acceptance of gratuities, financial or otherwise, by the above persons, from any supplier of materials or services to the County.

19. The County of Wayne will not be deemed responsible for any commitment to purchase made without the written authorization of the Purchasing Agent.
20. The policies and procedures set forth in this resolution shall be reviewed annually by the Board of Supervisors.
21. The unintentional failure to fully comply with the provisions of General Municipal Law Section 104-b shall not be grounds to void any action taken or give rise to cause of action against the County of Wayne or any officer or employee thereof.
22. Any and all procedures not specifically covered in this policy will be adhered to as covered in General Municipal Law, Section 104-b.

Supersedes Resolutions:

321-95 Amend and Consolidate County Purchasing Policies and Procedures
561-93 Adopt Procurement Policies and Procedures
562-93 Adopting Equipment Purchase Rules
48-94 Amending Equipment and Machinery Purchasing Policy For Highway Dept.
563-93 Requiring Approval of Vehicle Specifications Prior to Bidding Authorization
698-81 Policy Concerning Review and Approval of Contract Documents

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

Prior to the next resolution presentation, James Marquette, County Administrator, addressed the Board to give a brief presentation regarding renovation project expenses coming in under budget and the need to make the necessary amendments to return funds to the Contingency Account.

RESOLUTION NO. 014-10: AUTHORIZATION TO AMEND THE OLD NURSING HOME RENOVATION PROJECT BUDGET TO REFLECT PROJECT COSTS AND FUNDING

Mr. Hammond presented the following:

WHEREAS, the County of Wayne is undertaking a renovation of the old Nursing Home for use by various county departments at an estimated cost of \$15,826,399.16; and
WHEREAS, the County has already appropriated \$7,700,000.00 towards the project;
and

WHEREAS, the County has received \$10,048,580.16 in bonding to help pay for the project; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to amend and create the following line items in project H1925-County Building Renovation (ONH) as follows:

H1925-COUNTY BUILDING RENOVATION (ONH):

\$ 1,500.00 to .42401 Interest Earnings
\$ 21,297.00 to .43967 NYSERDA
\$10,048,580.16 to .45710 Serial Bonds
\$ 17,283.00 to .52801 A/E Reimbursable
\$ 76,260.00 to .52802 CM Fee
\$ 28,580.16 to .52804 Bonding Fee
\$ 15,000.00 from .52805 Postage and Printing
\$ 10,000.00 to .52806 Boring, Survey & Testing
\$ 32,000.00 to .52807 FF & E
\$ 11,280.00 from .52808 Owner's Insurance
\$ 35,000.00 to .52809 Asbestos & Lead Testing
\$ 25,000.00 to .52810 Asbestos Monitoring
\$ 15,000.00 from .52811 Soft Cost Contingency
\$ 616,560.00 from .52812 Design Contingency
\$ 4,522,859.00 to .52813 General Trades
\$ 2,193,600.00 to .52814 HVAC

\$ 1,538,550.00 to .52815 Electrical
\$ 1,059,480.00 to .52816 Plumbing & Fire Protection
\$ 1,934,978.00 to .52817 Misc
\$ 1,167,649.00 from .52818 Contingency
\$ 77,000.00 to .52819 Teledata Allowance
\$ 15,000.00 to .52821 Signage
\$ 99,999.00 to .52822 Gas & Elec Temp Heat
\$ 124,999.00 to .52823 Moving Allowance
\$ 7,178.00 to .52824 Utility Connection Costs
\$ 3,500.00 to .52825 SWPPP Inspections
\$ 20,600.00 to .52826 Building Permits
\$ 35,000.00 to .52827 Storage, Rent, Utility Fit Up
\$ 40,000.00 to .52828 Commissioning Services

and be it further

RESOLVED, that the project estimates have come in \$ 1,934,978.00 under the \$17,771,377.16 appropriated by the above amendment and prior funding resolutions and the amount of \$1,934,978.00 shall be reduced from the budget by the County Treasurer and returned to the Contingent Account in the General Fund as follows:

H1925-COUNTY BUILDING RENOVATION:

\$1,934,978.00 from .45031 Interfund Transfers

\$1,934,978.00 from .52817 Misc

H9901-INTERFUND TRANSFERS:

\$1,934,978.00 to .59100 Transfer-General Fund

A1990-CONTINGENT FUND BALANCE:

\$1,934,978.00 to .54000 Contractual Expense

A9999-OTHER:

\$1,934,978.00 to .45031 Interfund Transfer

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

Mr. Hammond requested that the Board consider a different name for this project instead of referencing the Former Wayne County Nursing Home Facility. The Chairman and the Clerk of the Board made note of this request.

RESOLUTION NO. 015-10: AUTHORIZATION TO SELL COUNTY PROPERTY TO WILLIAM DIXON

Mr. Hammond presented the following:

WHEREAS, the County of Wayne owns a parcel of land on East Port Bay, in the Town of Wolcott; and

WHEREAS, it has been determined that said parcel of land is surplus land; and

WHEREAS, William Dixon owns a parcel of land on East Port Bay Road, in the Town of Wolcott, Tax Account #75120-19-518193, which encroaches on said land owned by the County of Wayne; and

WHEREAS, William Dixon is desirous of purchasing a portion of said property from the County of Wayne consisting of .018 acres for the sum of Eighteen dollars (\$18.00), together with the cost of the survey and all other closing costs; now, therefore, be it

RESOLVED, that the terms of sale are as follows:

1. William Dixon will pay the County of Wayne Eighteen and 00/100 dollars (\$18.00) for the purchase of said land owned by the County of Wayne.

2. William Dixon will pay for the survey and all closing costs.

3. William Dixon will execute a contract of sale with the County of Wayne.

4. The County of Wayne will provide William Dixon with a quit-claim deed.

and be it further

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

authorized and directed to execute any documents necessary to complete the sale of said property to William Dixon on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 016-10: AUTHORIZE SETTLEMENT OF CLAIM – JEFFREY KITTLE

Mr. Hammond presented the following:

WHEREAS, a vehicle owned by Wayne County was involved with an accident with a 2007 Impala belonging to Jeffrey Kittle; and the parties are desirous of settling this matter for a total amount not to exceed Twelve Thousand Five Hundred and 00/100 Dollars, (\$12,500.00); now, therefore, be it

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to issue a check made payable to Handelman, Witkowitz & Levitsky, as attorneys in the amount of Twelve Thousand Five Hundred and 00/100 Dollars, (\$12,500.00); from Account No. A#1930 (Judgments & Claims), as directed by the Wayne County Attorney.

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

RESOLUTION NO. 017-10: AUTHORIZATION TO AMEND RESOLUTION NO. 951-09 ENTITLED "PAY INSURANCE PREMIUMS TO HAYLOR, FREYER AND COON, INC"

Mr. Hammond presented the following:

WHEREAS, Resolution #951-09 authorized payment of the insurance premium for Excess Workers Compensation to Haylor Freyer, & Coon, Inc. amount of Seventy Seven Thousand Thirteen and 00/100 Dollars (\$77,013.00); and the premium for the Excess Workers Compensation came in at a higher cost than initially anticipated in the sum of Seventy Seven Thousand One Hundred Thirty Seven and 00/100 Dollars (\$77,137.00) now, therefore, be it

RESOLVED, that the Clerk of the Board is hereby authorized to make payments to Haylor, Freyer & Coon, Inc. in the amounts of Seventy Seven Thousand One Hundred Thirty Seven and 00/100 Dollars (\$77,137.00) for the Excess Workers Compensation from Account S17104.54003.

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

RESOLUTION NO. 018-10: AUTHORIZE REPAIR OF SHERIFF VEHICLE

Mr. Hammond presented the following

WHEREAS, a 2007 Sheriff's vehicle VIN number 2FAFP71W37X154379 was involved in a deer strike accident on October 5, 2009; and the Wayne County Finance initially authorized repair of said vehicle by Collision 31 for a low quote in the amount of Three Thousand Eight Hundred Fifty Nine and 39/100 Dollars (\$3,859.39); and

WHEREAS, in the course of repairing said vehicle additional damage was discovered by Collision 31 which will necessitate additional repairs in the amount of One Thousand Two Hundred Twenty Six and 09/100 Dollars (\$1,226.09) making the total repairs for this vehicle Five Thousand Eighty Five and 48/100 Dollars (\$5,085.48); now, therefore, be it

RESOLVED, Wayne County Sheriff's Department is hereby authorized to have said vehicle repaired by Collision 31 for Five Thousand Eighty Five and 48/100 Dollars (\$5,085.48); and be it further

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to issue a check made payable to Collision 31 in the amount of Five Thousand Eighty Five and 48/100 Dollars (\$5,085.48); from Account No. A#1931 (Liability & Casualty), as directed by the Wayne County Attorney.

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

RESOLUTION NO. 019-10: AUTHORIZING COUNTY TREASURER TO DISBURSE SURPLUS DOG LICENSE FEES

Mr. Hammond presented the following:

WHEREAS, Pursuant to Section III of the Agriculture and Markets Law, the County Treasurer has filed a Dog License Report covering the monies remitted and the monies expended by the Treasurer under the provision of Article 7 of the Agriculture and Markets Law for the period January 1, 2009 to December 31, 2009; and

WHEREAS, said report shows the amount of \$12,273.54 is to be apportioned to the towns ratably to the remittance made by each municipality; now, therefore, be it

RESOLVED, that the report is hereby accepted by the Board of Supervisors and the County Treasurer is hereby authorized and directed to pay the amounts apportioned to the municipalities as set forth in the report.

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

RESOLUTION NO. 020-10: AUTHORIZATION TO PAY THE PIONEER LIBRARY SYSTEM 2010 APPROPRIATIONS

Mr. Hammond presented the following:

RESOLVED, that the Clerk of the Board is hereby authorized to pay the appropriated sum of \$94,365 paid to the Pioneer Library System in two (2) installments of \$47,182.50 each, upon audit and approval by the Board of Supervisors of vouchers submitted by The Pioneer Library System, in the months of February and August 2010.

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

RESOLUTION NO. 021-10: APPROVING APPLICATIONS FOR CORRECTED TAX ROLLS

Mr. Hammond presented the following:

WHEREAS, applications for correction of tax rolls in relation to 190 parcels of property identified below have been filed with the Director of Real Property Tax Services ("Director"); and

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

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

TOWN OF SODUS			
Owner	Incorrect	Correct FD Charge	\$ Difference FD Charge
Time Warner Cable	462.68	201.40	261.28
Rochester Gas & Elec	2,880.30	1,253.77	1,626.53
Rochester Gas & Elec	130.48	56.80	73.68
Rochester Gas & Elec	39.14	17.04	22.10
Rochester Gas & Elec	127.22	55.38	71.84
Verizon New York Inc	120.13	52.29	67.84
Verizon New York Inc	5.44	2.37	3.07
Verizon New York Inc	3.54	1.54	2.00
Verizon New York Inc	5.31	2.31	3.00
Rochester Gas & Electric	1,179.58	513.46	666.12
Rochester Gas & Electric	52.48	22.84	29.63
Rochester Gas & Electric	52.48	22.84	29.63
Rochester Gas & Electric	13.15	5.72	7.42
Rochester Gas & Electric	14.30	6.22	8.08
Rochester Gas & Electric	0.13	0.06	0.08

Rochester Gas & Electric	1,332.99	580.24	752.75
Rochester Gas & Electric	59.30	25.81	33.49
Rochester Gas & Electric	59.30	25.81	33.49
Rochester Gas & Electric	14.83	6.45	8.37
Rochester Gas & Electric	16.16	7.04	9.13
Verizon New York Inc	248.09	107.99	140.10
Verizon New York Inc	1.03	0.45	0.58
Verizon New York Inc	1.03	0.45	0.58
Verizon New York Inc	4.14	1.80	2.34
Verizon New York Inc	4.14	1.80	2.34
Simes, Gene	31.79	13.84	17.95
Kruse, Eugene	70.48	30.68	39.80
Buerman, Gordon	466.60	203.11	263.49
Spacemaker 14, Inc	836.82	364.26	472.56
Spacemaker 14 Inc	931.52	405.48	526.04
Fordham, Albert H	448.30	195.14	253.16
Spring, Joseph	303.10	131.94	171.17
Moody, III, Richard A	228.21	99.34	128.87
Parlato, James	3.53	1.54	1.99
Adam, Zachary Thomas	49.81	21.68	28.13
Knapp, Roger/Ginger	12.44	5.41	7.02
Orbaker, Jared R	336.01	146.26	189.75
Vanderzille, Elaine	463.47	201.74	261.73
Pasnak, George G	60.48	26.32	34.15
Rochester Gas & Electric	1,602.05	697.36	904.69
Degelleke, Marjorie	265.66	115.64	150.02
Peck, Randall D	229.98	100.11	129.87
Pozos, Celerno	207.72	90.42	117.30
Wright, Curtis	197.83	86.11	111.72
Granger, Donna	148.02	64.43	83.59
Milheim, Jay	230.68	100.42	130.27
Bond, Kenneth	154.38	67.20	87.18
Granger, Donna	115.17	50.13	65.03
Mckinnon, Alchimst Sr	347.97	151.47	196.50
Willmott, Mark T	297.81	129.63	168.17
Fish, Earl E	251.88	109.64	142.24
Adam, Zachary Thomas	27.55	11.99	15.56
Hill, Warren D	145.19	63.20	81.99
Haywood, Michael	261.42	113.79	147.62
Keagle, Amy L	219.03	95.34	123.69
Herman, Naida	158.62	69.04	89.57
Buerman, Gordon/Olive	104.92	45.67	59.25
Mckinnon, Alchimist	223.27	97.19	126.08
Hicks, Robert B	39.92	17.38	22.54
Hicks, Robert	243.05	105.80	137.25
Smith, William G	84.08	36.60	47.48
Perry, Jeo	192.18	83.65	108.52
Metott, James A/Linda J	216.20	94.11	122.09
Leflore, Roy I	155.44	67.66	87.78
Black, James	428.51	186.53	241.99
Coe, Norton G	333.84	145.32	188.52
Lucieer, Christine	287.56	125.17	162.39
Briggs, James	122.94	53.51	69.42
Collins, Lonnie E	380.12	165.46	214.65

Guerra, Larry R	194.30	84.58	109.72
Morgan, Billy	3.89	1.69	2.19
Lucieer, Christine J	149.08	64.89	84.19
Mckinney, Sc B	175.57	76.43	99.15
Case, John	153.32	66.74	86.58
Morgan, Billy	237.40	103.34	134.06
Vermeulen, Ronald E	254.00	110.56	143.44
Bartleson, Yvonne	194.00	84.45	109.55
Furber, Theodore/Todd	220.26	95.88	124.38
Tack, Richard W	3.86	1.68	2.18
MacNeal, Jeffrey A	15.01	6.53	8.47
Abrams, Ronald	12.26	5.34	6.92
Amon, Hazel	202.42	88.11	114.31
Lamar, Martin W	441.94	192.37	249.57
Vandewalle DVFF LLC	113.57	49.44	64.13
Heidenriech, Saxon	179.46	78.12	101.34
Conner, James	284.38	123.79	160.59
Jones, Robert T Sr	315.82	137.47	178.35
Lafontaine, Thomas	287.21	125.02	162.19
Bartleson, Yvonne	62.88	27.37	35.51
Patterson, Michelle A	444.81	193.62	251.19
Kruse, Eugene/Fae	213.37	92.88	120.49
Leclaire, Glenn/Ellen	502.70	218.82	283.88
Bartleson, Yvonne	57.58	25.07	32.52
Bond, Richard	378.00	164.54	213.46
Burnette, Sheryn	1,073.94	467.48	606.46
Amon, Hazel	116.23	50.59	65.63
Pollay, Charles	51.58	22.45	29.13
Chavez-Hernandez, Julio	292.86	127.48	165.38
Pollay, Charles	52.64	22.91	29.72
Pitts, Walter/Joan	80.19	34.91	45.28
Kelsey, Leonard	74.29	32.34	41.95
Carpenter, Cynthia D	394.60	171.77	222.83
Williams, Randy	77.72	33.83	43.89
Abrams, Ronald	133.53	58.13	75.41
Lefever, Peter	259.63	113.02	146.62
Ciufo, Frank	277.87	120.95	156.91
Robinson, Lang	226.44	98.57	127.88
Cartwright, Gary B	134.95	58.74	76.21
Winter, Ronald/Melody	6.54	2.84	3.69
Knapp, Roger P	265.98	115.78	150.20
Vandewalle Fruit Farms, LLC	499.43	217.40	282.03
Rice & Co. of NY, Inc.	164.52	71.61	92.91
Rice & Co. of NY, Inc.	16.94	7.37	9.57
Rice & Co. of NY, Inc.	19.99	8.70	11.29
Knapp, Roger D	51.93	22.60	29.33
Joslin, Byron	313.78	136.59	177.20
Whitcomb, William	273.08	118.87	154.21
Mourey, Walter	165.33	71.97	93.36
Roberts, Howard O	31.79	13.84	17.95
Espenscheid, Daniel	161.80	70.43	91.37
Vandewalle, Marshall	398.49	173.46	225.03
Espenscheid, Nelson	474.44	206.52	267.92
Nykon Inc	175.80	76.53	99.28

VanDeWalle Fruite Farm LLC	81.09	35.30	45.79
Goddard, Tony J	382.94	166.69	216.25
Slater, Jr., Gerald	89.38	38.91	50.47
Lemeiux, Thelma	165.68	72.12	93.56
Bombard, Debra	294.98	128.40	166.58
Rehman, Kerry G	97.50	42.44	55.06
Bills, Douglas	304.16	132.40	171.76
Vandewalle Fruit Farms, LLC	383.01	166.72	216.29
Alasa Farms	3,559.30	1,549.33	2,009.96
Winters, Susan T	398.13	173.30	224.83
Peck, John Charles	310.52	135.17	175.35
Frederick, James A	388.59	169.15	219.44
Poole, Ronald	339.14	147.62	191.51
Orbaker, Scott D	259.30	112.87	146.43
Searles, Kimberly	297.81	129.63	168.17
Pineda, Olga	359.98	156.70	203.28
Dwello, Donald E	164.98	71.81	93.16
Cottrell, Robert Jr	151.20	65.82	85.38
Russo, Paul James	366.34	159.46	206.87
Knapp, Stephen R	216.20	94.11	122.09
Brown, Arthur D	286.15	124.56	161.59
Centro, William J	242.70	105.64	137.05
Ornt, Frederick	119.76	52.13	67.63
Keukelaar, Neil E	343.02	149.32	193.71
Winter, Ronald	600.91	261.57	339.34
Mangan, Griffin J	339.14	147.62	191.51
Morgan, Ruby	167.45	72.89	94.56
Morgan, Fred	42.39	18.45	23.94
Leflore, Ethel	168.51	73.35	95.16
Batchelder, Clark/Linda	161.44	70.28	91.17
Kern, Pamela	73.83	32.14	41.69
Leflore, Ethel	10.60	4.61	5.98
Haywood, Thomas R	181.23	78.89	102.34
Kern, Dave	137.07	59.66	77.40
Rowe, Scott	226.09	98.42	127.68
Ertel, Arthur L Jr	17.66	7.69	9.97
Hines, Lucy	186.88	81.35	105.53
Reuter, Randy R	219.73	95.65	124.08
Reuter, Randy R	15.54	6.77	8.78
Musso, Joseph M	56.52	24.60	31.92
Smith, Russell	128.24	55.82	72.42
Westbrook, Harold/Jeanne	232.45	101.18	131.27
Powell, Michael	334.19	145.47	188.72
Morris, Ronald L	269.19	117.18	152.01
Cobb, Herman	146.96	63.97	82.99
Church, William	83.37	36.29	47.08
Buckley, Michael	308.05	134.09	173.96
Pasnak, Mae Lou	208.07	90.57	117.50
Olschewske, Martin G	268.48	116.87	151.61
Morgan, Ruby A	31.79	13.84	17.95
Ginett, Thomas	158.97	69.20	89.77
Olschewske, Martin G	178.40	77.66	100.74
Morgan, Frederick	151.20	65.82	85.38
Griffiths, Theresa A	134.24	58.43	75.81

Bond, Richard D	331.72	144.39	187.32
Martin, William D	277.67	120.87	156.80
Crisler, Lee	246.93	107.49	139.45
Dement, Barbara	260.71	113.49	147.23
Vandewalle, Kenneth I	0.00	0.00	0.00
Lazaroff, Lori A	236.34	102.88	133.46
Breuilly, Gary H	38.15	16.61	21.55
Sebring, James	176.99	77.04	99.95
Woodard, Donald	34.27	14.92	19.35
Gorton, Van C	158.26	68.89	89.37
Stratton, Karen	148.37	64.59	83.79
Duncan, Mary	281.20	122.40	158.80
Caramanna, Douglas	1,411.66	614.48	797.17
TOTAL PARCELS = 190	48,549.00	21,133.01	27,415.99
	Incorrect	Correct	\$ Difference
		FD Charge	FD Charge

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

RESOLUTION NO. 022-10: AUTHORIZATION TO SUBMIT REQUEST FOR PROPOSALS (RFP) SEEKING AUCTIONEER SERVICES FOR REAL PROPERTY TAX FORECLOSURE SALE

Mr. Hammond presented the following:

WHEREAS, the Real Property Tax Department will be conducting a Tax Foreclosure Auction of delinquent properties; and the Real Property Tax Department of Wayne County is desirous of having auction services performed by a professional auctioning service; now, therefore, be it

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

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

RESOLUTION NO. 023-10: RESOLUTION AMENDING RESOLUTION 465-09 REGARDING CONTRACT WITH FISCAL ADVISORS

Mr. Hammond presented the following:

WHEREAS, Resolution No. 465-09 authorized a contract and payment up to \$18,500 for services related to the county's recent bond issue, and the initial contract and maximum amount anticipated a traditionally structured borrowing of funds; and

WHEREAS, in order to participate in an ARRA subsidized program involving a pooled borrowing with the Municipal Bond Bank Agency (MBBA) the county required more assistance from Fiscal Advisors; and overall the pooled borrowing will save Wayne County in excess of \$700,000 in interest costs over the life of the bonds; and it is necessary to authorize the change in fee for Fiscal Advisors because additional services were rendered; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the amount of the contract with Fiscal Advisors be amended from \$18,500 to \$25,000.

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

RESOLUTION NO. 024-10: AUTHORIZING ADVANCE BILLING OF 2010 INFORMATION TECHNOLOGY SERVICES TO COUNTY NON-REIMBURSEMENT DEPARTMENTS AND SET BILLING RATES FOR REIMBURSEMENT DEPARTMENTS

Mr. Hammond presented the following:

RESOLVED, that the Director of Information Technology is hereby authorized to make an interdepartmental billing, to the departments listed below for advance payment for the full amount from line item .4414 for the year 2010:

Dept. No.	Department	Total Estimate	Dept. No.	Department	Total Estimate
A 1010	Legislative Board	2,700	A 1640	Central Garage	1,350
A 1040	Clerk Legislative Board	11,800	A 3110	Sheriff's Dept	135,000
A 1165	District Attorney	11,300	A 3315	Stop DWI Program	4,200
A 1167	Victim Witness	900	A 3410	Fire Coordinator	1,350
A 1170	Public Defender	10,800	A 3640	Emergency Management	4,500
A 1185	Coroner	50	A 3642	E911 Communications	18,600
A 1230	County Administrator	7,700	A 62xx	Work Force Development	9,000
A 1320	County Auditor	900	A 6410	Tourism & Publicity	3,600
A 1325	County Treasurer	295,000	A 6510	Veterans Service Agency	2,700
A 1345	Purchasing	900	A 6610	Weights & Measures	900
A 1355	Real Property Tax	198,100	A 7510	Historian	2,700
A 1410	County Clerk	59,300	A 8020	Planning Dept	7,000
A 1420	County Attorney	4,500	D 5010	Highway Dept	31,900
A 1430	Personnel Office	9,000		Totals	\$887,950
A 1450	Board of Elections	29,400			
A 1615	Buildings & Grounds	22,800			

RESOLVED, that the Director of Information Technology is hereby authorized to make an interdepartmental billing, to the reimbursable departments listed below for payment of services when performed using the following rates:

Port Charge \$900.00 each
 Computer Technical charge of \$75/hr

Dept. No.	Department	Total Estimate
A 3140	Probation Department	83,700
A 4010	Public Health (inc4020)	23,100
A 4011	PH BIO Services	5,100
A 4011	PH Services	16,500
A 4016	PH Early Intervention	4,500
A 4017	PH Child w/Spec. Needs	900
A 4018	PH Education	1,800
A 4019	PH CHHA	30,900

Dept. No.	Department	Total Estimate
A 4330	Mental Health Programs	109,100
A 6010	Social Services	109,200
A 6772	Area Agency on Aging	17,100
A 7310	Youth Bureau	900
E 6020	Nursing Home	100,800
	Totals	\$503,600

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

RESOLUTION NO. 025-10: AUTHORIZATION TO TRANSFER VEHICLE TO THE SHERIFF'S DEPARTMENT

Mr. Plant presented the following:

WHEREAS, the Wayne County ALS Services department has a 2002 Chevrolet Tahoe bearing VIN 1GNEK13Z32J328727 that is no longer used by the department, but could potentially be utilized by other County departments; and the Sheriff's Office has expressed a need for this type of vehicle for the transportation of equipment pertinent to

vehicle crash investigation and reconstruction; and

WHEREAS, the County Administrator has reviewed the transfer and is recommending the aforementioned vehicle transfer to the Sheriff's Office; now, therefore, be it

RESOLVED, that the vehicle mentioned above is hereby transferred to the Sheriff's Office; and when the vehicle is no longer serviceable it shall not be replaced at County expense.

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

RESOLUTION NO. 026-10: AUTHORIZATION TO APPLY FOR GRANT EXTENSION FOR E-911 COMMUNICATIONS REGARDING THE NEW YORK STATE OFFICE OF HOMELAND SECURITY

Mr. Plant presented the following:

WHEREAS, the County of Wayne previously applied for, and was awarded, a federal grant under the PSIC (Public Safety Interoperable Communications) program in the amount of \$1,629,519.20; and

WHEREAS, this grant program is intended to fund a significant portion of the costs associated with various public safety radio communications system and interoperability improvements, to include converting existing wide band VHF communications frequencies to narrow band frequencies, conversion of all fire service communications from low band to VHF narrow band, and more than doubling the number of receiver sites in the county to improve portable "talk back", and thus, responder and public safety; and

WHEREAS, the current contract period of roughly 26 months to design, fund, and implement the entire project is extremely aggressive; and the New York State Office of Homeland Security has announced that PSIC grantees may apply for a grant extension of one year, resulting in a modified termination date of September 30, 2011; now, therefore, be it

RESOLVED, that the 911 Coordinator may submit, and the Chairman of the Board may sign, an application to the State Office of Homeland Security, requesting a one year extension of contract C836475, the County's PSIC communications grant, for a revised grant termination date of September 30, 2011.

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

RESOLUTION NO. 027-10: AUTHORIZATION TO EXECUTE AN AGREEMENT WITH WAYNE COUNTY EGGS, LLC

Mr. Plant presented the following:

WHEREAS, Wayne County 911, in association with the Radio Interoperability Project, is in need of five sites in the county at which to locate remote receivers; and the sites to be added must be located in areas that would prove to be advantageous to our radio system, in that the desired goal of improved portable radio coverage must result from the addition of each site; and

WHEREAS, Wayne County Eggs, LLC, located at 6864 Wadsworth Road owns and operates a feed mill that extends approximately 100 feet above ground level; and coverage studies have demonstrated that the desired radio coverage in the northeastern section of the County could be achieved by utilization of the platform at the feed mill as a receiver site; and

WHEREAS, adequate space within the adjoining office is available for locating the County radios and accompanying equipment; now, therefore, be it

RESOLVED, that the 911 Coordinator shall be authorized to negotiate, and the Chairman of the Board shall be authorized to sign, a lease agreement with Wayne County Eggs, LLC of 6864 Wadsworth Road, Wolcott, NY 14590, which would allow the County to mount one Omni directional receive antenna and one wireless link "dish" antenna on the platform and railing at the top of the farm's feed mill, with four radios, one power supply, an

Ethernet switch, and other miscellaneous equipment to be located in an office at the feed mill; and be it further

RESOLVED, that the term of the lease agreement with Wayne County Eggs shall be not less than five years, at a one-time cost not to exceed \$5000, which shall be paid in its entirety within the first six months of the initial term of the lease, with said lease agreement subject to the approval of the County Attorney as to form and content; and be it further

RESOLVED, that the County shall have access to existing commercial and back-up power at the location at no cost to the County.

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

RESOLUTION NO. 028-10: AUTHORIZATION TO EXECUTE AN AGREEMENT WITH THE VILLAGE OF PALMYRA ASSOCIATED WITH THE RADIO INTEROPERABILITY PROJECT

Mr. Plant presented the following:

WHEREAS, Wayne County 911, in association with the Radio Interoperability Project, is in need of five sites in the county at which to locate remote receivers; and the sites to be added must be located in areas that would prove to be advantageous to our radio system, in that the desired goal of improved portable radio coverage must result from the addition of each site; and

WHEREAS, coverage studies have demonstrated that the desired radio coverage in the southwestern section of the county could be achieved by utilization of the roof at the Palmyra Village Hall as a receiver site, used to mount an antenna and wireless link dish; and adequate space within the second floor of the Village Hall is available for locating the County radios and accompanying equipment; and

WHEREAS, on September 21, 2009, the Palmyra Village Board, at a regular Board meeting, agreed to allow the County to use the Village Hall for the aforementioned purpose; now, therefore, be it

RESOLVED, that the Chairman of the Board shall be authorized to sign a lease agreement with the Village of Palmyra, 144 East Main Street, Palmyra, New York 14522, which would allow the County to mount one Omni directional receive antenna and one wireless link "dish" antenna on the roof of the Village Hall, with four radios, one power supply, an Ethernet switch, and other miscellaneous equipment to be located on the second floor in the building; and be it further

RESOLVED, that there shall be no lease payments from the County to the Village in association with this lease, with said lease agreement subject to the approval of the County Attorney as to form and content; and be it further

RESOLVED, that the County shall have access to existing commercial power at the location at no cost to the County.

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

RESOLUTION NO. 029-10: AUTHORIZATION TO EXECUTE AN AGREEMENT WITH THE ONTARIO BOARD OF FIRE COMMISSIONERS

Mr. Plant presented the following:

WHEREAS, Wayne County 911, in association with the Radio Interoperability Project, is in need of five sites in the County at which to locate remote receivers; and

WHEREAS, the sites to be added must be located in areas that would prove to be advantageous to our radio system, in that the desired goal of improved portable radio coverage must result from the addition of each site; and the Ontario Board of Fire Commissioners owns a monopole style communications tower located immediately adjacent to the Ontario Fire Department, 6160 Walter Cone Drive, Ontario; and

WHEREAS, coverage studies have demonstrated that the desired radio coverage in the northwestern section of the county could be achieved by utilization of the Ontario tower

as a receiver site, used to mount an antenna and wireless link dish; and adequate space within the Ontario Fire Department is available for locating the County radios and accompanying equipment; now, therefore, be it

RESOLVED, that the Chairman of the Board shall be authorized to sign a lease agreement with the Board of Fire Commissioners of Ontario Fire District #1, Ontario, New York 14519, which would allow the County to mount one Omni directional receive antenna and one wireless link "dish" antenna on the District's communications tower, with four radios, one power supply, an Ethernet switch, and other miscellaneous equipment to be located within the Ontario Fire Department (fire hall); and be it further

RESOLVED, that there shall be no lease payments from the County to the Fire District in association with this lease, with said lease agreement subject to the approval of the County Attorney as to form and content; and be it further

RESOLVED, that the County shall have access to existing commercial and back-up power at the location at no cost to the County.

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

RESOLUTION NO. 030-10: AUTHORIZATION TO APPLY FOR A FEDERAL PORT SECURITY GRANT

Mr. Plant presented the following:

WHEREAS, a communications tower in the Village of Sodus owned by the Saint Lawrence Seaway Authority, and located on land owned by the Village of Sodus, has been identified as a location advantageous to the County as a possible secondary infrastructure site, which would be used as one of the five needed remote receive (public safety radio) sites; and

WHEREAS, a tower loading analysis funded by the County, and performed by the Fred Nudd Corporation, determined that equipment cannot currently be added to the tower, as the loading would be beyond current code allowances, necessitating that the tower be strengthened or replaced to meet the current codes; and

WHEREAS, the Emergency Management Office has identified a federal grant program through the Federal Emergency Management Agency (FEMA), that could be applicable to replace, or possibly strengthen the tower, and the program, known as the FY2010 Port Security Grant Program, requires no local match, but is not applicable for the Seaway Authority as a direct applicant, as the Seaway Authority is a federal authority; now, therefore, be it

RESOLVED, that the 911 Coordinator is hereby authorized to submit a grant application for the FEMA, and the Chairman of the Board of Supervisors authorized to sign, administered FY2010 Port Security Grant Program, in an effort to secure funding for tower replacement or improvements, and said grants requiring no local match for up to \$100,000.

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

RESOLUTION NO. 031-10: AUTHORIZATION TO APPLY FOR EMERGENCY OPERATIONS CENTER (EOC) GRANT FOR RENOVATION OF THE EOC AREA

Mr. Plant presented the following:

WHEREAS, the FY 2010 Emergency Operations Center Grant Program has made available \$10,157,500 in competitive grant funding with a 25% match requirement; and

WHEREAS, Wayne County is renovating the former Wayne County Nursing Home to include a new EOC; which qualifies for this grant program; now, therefore, be it

RESOLVED, that the Director of Emergency Management is hereby authorized to apply for said grant for an amount not to exceed \$250,000 to assist in the renovation of the EOC area.

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

RESOLUTION NO. 032-10: AUTHORIZATION TO PARTICIPATE IN PORT SECURITY GRANT PROGRAM

Mr. Plant presented the following:

WHEREAS, the FY 2010 Port Security Grant Program has made available \$288 Million in competitive grant funding for FY 2010 with no match requirement for security improvements (barriers, access control systems, cameras, etc.); and Wayne County is renovating the former Wayne County Nursing Home to include a new EOC and Sheriff's Office facilities and other critical infrastructure, all of which are in need of adequate security measures; and

WHEREAS, all of these are eligible due to the proximity to the canal, and because Wayne County is a participating agency in the Area Maritime Subcommittee; now, therefore, be it

RESOLVED, to authorize the Director of Emergency Management to apply for said grant for security equipment, installation, and software associated with the Renovator Project, for an amount not to exceed \$125,000.00.

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

RESOLUTION NO. 033-10: AUTHORIZATION TO CONTRACT WITH THOMAS WASSER, MD FOR MEDICAL SERVICES AT THE WAYNE COUNTY JAIL

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office is in need of a Physician to care for the medical needs of inmates incarcerated at the Wayne County Jail; and Thomas Wasser, MD has agreed to contract for medical services with Wayne County and the Wayne County Sheriff's Office beginning January 1, 2010 through December 31, 2010 at a rate of \$100/per hour, not to exceed fifteen (15) hours per week, cost of medical services for this period shall be \$78,000.00; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors and Wayne County Office of Sheriff are hereby authorized and directed to execute a contract with Thomas Wasser, MD, of Lyons to provide Medical services to the inmates incarcerated in the Wayne County Jail beginning on January 1, 2010 through December 31, 2010 at a rate of \$100/per hour, not to exceed fifteen (15) hours per week, cost of medical services for this period shall be \$78,000.00, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 034-10: AUTHORIZATION TO EXECUTE A SECURITY SERVICES AGREEMENT BETWEEN NEW YORK STATE UNIFIED COURT SYSTEM (UCS) AND WAYNE COUNTY

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff provides security and services to Courts located in Wayne County and UCS reimburses the Sheriff's Office for the cost of such services subject to a maximum reimbursable amount for each annual period of the agreement; and

WHEREAS, UCS has submitted a Security Services Agreement for a five year period beginning April 1, 2009 and ending March 31, 2010, establishing a maximum reimbursable amount of \$596,365 for the period of April 1, 2009 through March 31, 2010; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to execute the Security Services Agreement with the Unified Court System, subject to the County Attorney's approval as to form and content.

Mr. Lauderdale moved, seconded by Mrs. Bender that the ending date in the second "WHEREAS" clause be changed to the correct five-year period of April 1, 2009 and ending March 31, 2014.

The Chairman requested a motion to amend the resolution to the correct date. Carried.

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

Mrs. Crane questioned the second set of dates in the same clause. Upon the request, Mr. Marquette confirmed that the second date was correct.

RESOLUTION NO. 035-10: AUTHORIZATION FOR DISTRICT ATTORNEY AND CHAIRMAN TO EXECUTE ANNUAL FEDERAL EQUITABLE SHARING AGREEMENT AND CERTIFICATION REPORT FOR YEAR ENDING 12/31/09

Mr. Plant presented the following:

WHEREAS, the District Attorney and the Chairman of the Board of Supervisors are requested to file an Annual Federal Equitable Sharing Agreement and Certification Report in order to continue to receive illegal narcotics monies forfeited through the federal government; now, therefore, be it

RESOLVED, that Chairman of the Wayne County Board of Supervisors and the Wayne County District Attorney are hereby authorized and directed to sign the Federal Annual Equitable Sharing Agreement and Certification Report on behalf of the County of Wayne and the Federal Equitable Sharing Agreement.

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

RESOLUTION NO. 036-10: AUTHORIZATION TO RENEW CONTRACT BETWEEN COUNTY OF WAYNE AND MICHAEL SHEEHE, COORDINATOR OF EDUCATION 1/1/10-12/31/10

Mr. Plant presented the following:

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Michael Sheehe (Palmyra, NY) for the provision of alcohol, drug and highway safety oriented educational programs in Wayne County for the period of 1/01/10-12/31/10; and be it further

RESOLVED, that Michael Sheehe shall receive a fee for services in the amount of \$13,650 payable in equal monthly installments of \$1,365 each for the months of January, February, March, April, May, June, September, October, November, and December plus the following expenses:

Administrative Expenses including mileage, clerical, telephone, postage, copying and other expenses approved by the STOP DWI Coordinator; provided, however, that in no event shall the total amount of such expenses reimbursed exceed the sum of \$1,000.

Presentation Expenses including fees paid to third-party presenters and other persons assisting in the presentation of programs, equipment, clerical and other expenses approved by the STOP-DWI Coordinator; provided, however, that in no event shall the total amount of such expenses reimbursed by the County during the term of the agreement exceed the sum of \$8,600.00.

RESOLVED: that the Professional Liability Insurance coverage required by Wayne County's minimum insurance standards is hereby waived for the duration of this contract with Michael Sheehe for the provision of alcohol, drug and highway safety oriented educational programs in Wayne County.

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

RESOLUTION NO. 037-10: AUTHORIZATION TO RENEW CONTRACT WITH FLACRA FOR 2010

Mr. Plant presented the following:

RESOLVED, that the contract between Wayne County STOP DWI and Finger Lakes Addictions Counseling and Referral Agency, Inc. for a Relapse Prevention Program for inmates at the Wayne County Jail is hereby renewed for the period of 1/1/10-12/31/10 in the amount of \$15,000.

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

RESOLUTION NO. 038-10: AUTHORIZING EXECUTION AND SUBMISSION OF 2010 ALTERNATIVES TO INCARCERATION SERVICE PLAN UPDATE FOR PRE-TRIAL RELEASE PROGRAM AND AUTHORIZING PROGRAM FUNDING AGREEMENT WITH NEW YORK STATE DIVISION OF PROBATION AND CORRECTIONAL ALTERNATIVES.

Mr. Plant presented the following:

WHEREAS, Wayne County's Alternative to Incarceration Advisory Board has prepared the 2010 Alternatives to Incarceration Service Plan Update; and the 2010 Plan Update includes the budget for the Pre-Trial Release Program to be implemented by Wayne Pre-Trial Services, Inc., pursuant to a subcontract with Wayne County during the period from January 1, 2010, to December 31, 2010, to be funded as follows:

State Funds:	\$30,791.00
Required Local Match:	\$79,848.00

now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors ("Chairman") is hereby authorized and directed to execute the 2010 Alternatives to Incarceration Services Plan Update on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, and to submit it to the New York Division of Probation and Correctional Alternatives; and be it further

RESOLVED, that the Chairman is hereby authorized and directed to execute a subcontract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Wayne Pre-Trial Services, Inc. for implementation of the program at a cost not to exceed \$110,639 to be funded as follows; State Funds \$30,791.00; County Funds \$79,848.00; and be it further

RESOLVED, that monthly payments of \$9,219.92 for the months January 2010 through December 2010 shall be made to Wayne Pre-Trial Services, Inc.

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

RESOLUTION NO. 39-10: AUTHORIZATION TO RE-APPOINT MEMBERS TO WAYNE COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD OF DIRECTORS

Mr. LeRoy presented the following:

WHEREAS, pursuant to Section 6-a of the NYS Conservation District Law, the Soil and Water Conservation District Board requests that the Chairman of the Wayne County Board of Supervisors hereby make the following re-appointments to the SWCD Board of Directors; now, therefore, be it

RESOLVED, that William Hammond, Supervisor for the Town of Macedon, and Jolene Bender, Supervisor for the Town of Marion are hereby re-appointed to the Wayne County Soil and Water Conservation District Board of Directors.

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

RESOLUTION NO. 040-10: AUTHORIZATION TO ADVERTISE FOR PROPOSALS FROM ENGINEERING FIRMS TO REVIEW AND PROPOSE DESIGN ENHANCEMENTS FOR THE EMERGENCY POWER COVERAGE OF THE COUNTY NURSING HOME

Mr. LeRoy presented the following:

WHEREAS, the Nursing Home staff have identified underserved areas in the new Nursing Facility while under emergency power; and the generator for the facility has sufficient capacity to handle a much larger load than is currently utilized in the emergency power distribution configuration; now, therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to prepare a Request for Proposals, for an Engineering firm to review the current wiring schematics, and to submit recommendations and cost estimates for proposed changes to the system, and, as a second phase of the requested work, to prepare all plans and specifications needed to develop a bid document to add the additional loads as per their recommendations; and be it further

RESOLVED, that the proposals received will be reviewed by the Superintendent of Buildings and Grounds, the County Administrator and the Public Works Committee.

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

RESOLUTION NO. 041-10: AUTHORIZATION TO PROCESS INTERDEPARTMENTAL CHARGEBACKS FOR ADVANCE PAYMENTS FOR MAINTENANCE AND REPAIRS FOR COUNTY DEPARTMENTS FOR 2010

Mr. LeRoy presented the following:

WHEREAS, Wayne County Departments were notified of the amount to include in their 2010 Budget line item .4438 (Maintenance/Repair); now, therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to process interdepartmental chargebacks for the departments listed below for advance payment for the full amount from line item .4438 (Maintenance/Repair) for the year 2010.

Board of Elections	10,650.00
Board of Supervisors	28,014.00
County Administrator	3,960.00
County Attorney	9,114.00
County Clerk	51,564.00
County Veterans	5,550.00
Information Technology	33,858.00
District Attorney	25,716.00
Empire Zone	972.00
Fire Coordinator	4,260.00
Historian	9,216.00
Human Resources	11,808.00
Planning	8,064.00
Printing	5,106.00
Probation	40,242.00
Public Defender	15,930.00
Publicity & Tourism	2,538.00
Real Property Tax	10,470.00
Solid Waste	6,228.00
Stop DWI	4,932.00
Treasurer	13,752.00
Motor Vehicles	8,976.00
Crime Victims	1,308.00

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

RESOLUTION NO. 042-10: AUTHORIZATION TO ESTABLISH MAINTENANCE CHARGES FOR THE BUILDINGS AND GROUNDS DEPT FOR 2010

Mr. LeRoy presented the following:

RESOLVED, that the following schedule of maintenance charges for the 2010 budget year for the Buildings and Grounds Department are hereby established for the following positions:

<u>TITLE</u>	<u>RATE/HR</u>	<u>OVT RATE</u>
Maint. Foreman	46.69	58.79
Sr. Maint. Mech. 1	43.29	53.68
Sr. Maint. Mech. 2	48.01	60.76
Working Foreman	40.49	49.48
Bldg. Maint. Mech. 1	35.61	42.16
Bldg. Maint. Mech. 2	43.83	54.50
Bldg. Maint. Mech. 3	35.44	41.91
Bldg. Maint. Mech. 4	35.27	41.66
Maintenance Mech 1	34.49	40.48
Maintenance Mech. 2	43.35	53.78
Maintenance Mech. 3	42.84	53.01
Maintenance Mech. 4	43.49	53.99
Sr. Cleaner 1	37.18	44.52
Sr. Cleaner 2	39.71	48.32
Sr. Cleaner 3	39.71	48.32
Maint. Worker 1	27.01	40.52
Maint. Worker 2	29.86	33.53
Maint. Worker 3	38.68	46.78
Maint. Worker 4	30.06	33.84
Maint. Worker 5	33.91	39.62
Maint. Worker 6	39.51	48.01
Maint. Worker 7	39.24	47.61
Maint. Worker 8	28.19	31.04
Maint. Worker 9	37.94	45.65
Maint Worker 10	18.86	28.29
Cleaner 1	34.31	40.21
Cleaner 2	27.93	30.65
Cleaner 3	38.44	46.41
Cleaner 4	32.78	37.92
Cleaner P.T. 1	22.54	
Cleaner P.T. 2	22.54	
Cleaner P.T. 3	24.20	
Cleaner P.T. 4	22.54	
Cleaner P.T. 5	20.56	
Cleaner P.T. 6	20.56	

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

RESOLUTION NO. 043-10: APPROPRIATION OF COUNTY ROAD FUND MONIES

Mr. LeRoy presented the following:

WHEREAS, the County Superintendent of Highways has recommended the following expenditures from the County Road Fund Monies during the year 2010

\$ 272,044	for the purpose of Administration
\$ 217,657	for the purpose of Engineering
\$ 3,676,169	for the purpose of Maintenance of Roads & Bridges
\$ 630,330	for the purpose of Road Striping & Sign Maintenance
\$ 1,906,349	for the purpose of Snow & Ice Control

now, therefore, be it

RESOLVED, that the recommendations of the County Superintendent are hereby approved and the following funds are hereby appropriated from the County Road Funds:

\$ 272,044 to Account No. D5010 - Administrative
\$ 217,657 to Account No. D5020 - Engineering
\$ 3,676,169 to Account No. D5110 - Maintenance of Roads & Bridges
\$ 630,330 to Account No. D5111 - Road Striping & Sign Maintenance
\$ 1,906,349 to Account No. D5142 - Snow & Ice Control

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

RESOLUTION NO. 44-10: AUTHORIZATION TO ENTER INTO INDEMNIFICATION AGREEMENT BETWEEN WAYNE COUNTY AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR SPECIAL HAULING PERMITS, DIVISIBLE LOAD OVERWEIGHT PERMITS, AND/OR RESTRICTED VEHICLE PERMITS

Mr. LeRoy presented the following:

WHEREAS, that pursuant to the provisions of Part 154, Title 17, Official Compilation of Codes, Rules and Regulations of the State of New York, by and between the People of the State of New York, all municipal subdivisions thereof except the party of the second part, and the Commissioner of the New York State Department of Transportation, the New York State Thruway Authority, the State Bridge Authority and their officials, officers, agents and employees, parties of the first part, acting through and between the Commissioner of Transportation or his designee ("DOT") and the County of Wayne, party of the second part; and

WHEREAS, the County of Wayne intends to apply for and receive permits pursuant to subpart 154-1 and/or subpart 154-2 of Title 17 of the official compilation of codes, rules and regulations of the State of New York, from the Department of Transportation for the operation of certain of its vehicles; and

WHEREAS, the Commissioner of Transportation has determined that this agreement will protect the interests of the People of the State of New York to the same extent as protective liability insurance coverage; now therefore, be it

RESOLVED, that the County of Wayne, in lieu of obtaining protective liability insurance coverage with respect to such permits, hereby agrees to assume the risk of, and to release, indemnify, protect, defend and save harmless the parties of the first part and/or all employees of the party of the first part from and against any and all claims, demands, actions, settlements, awards and judgments for such loss, injury, death or damage and any cost or expense in connection therewith caused by or arising out of the issuance and/or use of such permits; and be it further

RESOLVED, that the party of the second part hereby agrees to indemnify and save harmless the parties of the first part and/or all employees of the parties of the first part from all liability of claims, demands and costs for or arising out of the issuance and/or use of such permits or the acceptance of such permits, whether caused by negligence of the part of the second part or by anyone acting by, through or for the party of the second part or caused by negligence, including omissions and supervisory acts, of the parties of the first part; and be it further

RESOLVED, that any payments required by the foregoing will be guaranteed by the full faith and credit of the party of the second part, or its districts, as applicable, and will be paid out of current budgeted funds, or if insufficient, from its liability and casualty reserve fund or from the proceeds of bonds which current laws permit the party of the second part to issue to pay claims against it.

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

RESOLUTION NO. 045-10: AUTHORIZATION TO ACCEPT LOW BID FOR TRAFFIC

ZONE PAINT FOR THE WAYNE COUNTY HIGHWAY DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for Traffic Zone Paint for the Highway Department, and the bids were open on Monday, January 5, 2010 at 11:00 a.m. and the following bids were received:

Sherwin Williams

Gallon White: \$6.42

Gallon Yellow: \$7.05

55 Gallon White: \$353.10

55 Gallon Yellow: \$387.75

275 Gallon White: \$1,765.50

275 Gallon Yellow: \$1,938.75

Ennis Paint

Gallon White: \$6.95

Gallon Yellow: \$7.85

55 Gallon White: \$407.00

55 Gallon Yellow: \$465.50

275 Gallon White: \$1,911.25

275 Gallon Yellow: \$2,158.75

now, therefore, be it

RESOLVED, that the bid submitted by Sherwin Williams of Manchester, GA in the amount listed hereto, in accordance with the specifications, is hereby accepted; and be it further

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

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

RESOLUTION NO. 046-10: AUTHORIZATION TO ACCEPT LOW BID FOR RIDGE ROAD REHABILITATION STIMULUS PROJECT

Mr. LeRoy presented the following:

WHEREAS, this project is funded with 100% Federal Stimulus Funds (ARRA) with a total budget of \$418,000; and

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for the Ridge Road rehabilitation Project (D51122.52622) for the County Highway Department, and the bids were opened on Tuesday, December 15, 2009 at 10:00 a.m. and the following bids were received:

Midland Asphalt Materials Inc. \$290,092.14

Suit Kote Corporation \$317,103.78

now, therefore, be it

RESOLVED, that the bid submitted by Midland Asphalt Materials Inc .of Lyons, New York, in accordance with the specification, is hereby accepted in the amount not to exceed \$290,092.14 subject to New York State Department of Transportation approval; 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 Midland Asphalt Materials Inc. in accordance with the bid acceptance.

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

RESOLUTION NO. 047-10: AUTHORIZATION TO MODIFY GRAVEL MINE PERMIT AND TRANSFER OWNERSHIP OF PERMIT TO MIKE VIRTS

Mr. LeRoy presented the following:

WHEREAS, the County Highway Department currently has a mining permit good until December 2010 to operate the mine located on Armstrong Road in the Town of Rose; and as the permittee, the County is responsible for the reclamation of the property at the expiration of the permit to the satisfaction of the NYSDEC; and

WHEREAS, the County Highway Department currently has an agreement with Mike Virts to lease the property where the mine is located; and Mike Virts has expressed interest in having the permit transferred to his name so it can be sold to another owner. Mr. Virts has agreed to assume all cleanup efforts and costs in return for a payment of \$20,000; and

WHEREAS, Mr. Virts has requested that a modification be made to the conditions of the permit while under the control of the County. Mr. Virts will be responsible for all costs associated with the modification request; now, therefore, be it

RESOLVED, that the Highway Superintendent is hereby authorized to modify the current mining permit with the NYSDEC; and that the County Attorney is to modify the current agreement between Wayne County and Mr. Virts to eliminate any further liability by the County; and be it further

RESOLVED, that the County Treasurer is hereby authorized to make payment of \$20,000 to Mr. Virts from Account No. D5110 54175.

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

Mr. LeRoy moved, seconded by Mr. Lauderdale to amend the last "RESOLVED" clause to read as follows:

"RESOLVED, that after all conditions set out by the NYSDEC have been met and the aforesaid agreement is in place, the County Treasurer is hereby authorized to make payment of \$20,000 to Mr. Virts from Account No. D5110 54175."

The Chairman declared the motion carried.

Upon roll call to adopt the amended resolution. All Supervisors voted Aye. The Chairman declared the Resolution adopted.

RESOLUTION NO. 048-10: AUTHORIZING AGREEMENT WITH WAYNE COUNTY INDUSTRIAL DEVELOPMENT AGENCY ("IDA") FOR PAYMENT OF 2010 APPROPRIATION

Mr. Spickerman presented the following:

WHEREAS, the sum of \$257,400.00 was appropriated in the 2010 County Budget for the support of the Wayne County Industrial Development Agency ("IDA"); now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign an agreement, subject to the County Attorney's approval as to form and content, with the Wayne County IDA providing for the payment of such appropriation in equal quarterly installments of \$64,350.00, and requiring the corporation to file a verified account of the disbursements of such funds together with a refund of any unused amount.

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

RESOLUTION NO. 049-10: ACCEPT HOME GRANT, AUTHORIZE EXECUTION OF ALL NECESSARY DOCUMENTS AND INCREASE PROJECT ACCOUNT

Mr. Spickerman presented the following:

WHEREAS, HUD provides, through the NYS Housing Trust Fund Corporation (HTFC), grants via the HOME Program; and the Bishop Sheen Ecumenical Housing Foundation was successful in securing \$300,000 in HOME funds for Wayne County for the moderate rehabilitation of 17 owner-occupied single family homes across Wayne County; now,

therefore, be it

RESOLVED, that the Board of Supervisors accepts the HOME grant in the amount of \$300,000; and that the Chairman of the Board of supervisors is authorized and directed to execute any documents necessary to implement the housing rehabilitation program, subject to approval as to form and content by the County Attorney; and be it further

RESOLVED, that the County Treasurer is authorized to amend the 2010 County Budget as follows:

A6326-ECONOMIC DEVELOPMENT

\$300,000 to .54550 (Bishop Sheen Funding)

\$300,000 to .44718 (HOME Program)

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

RESOLUTION NO. 050-10: MAKING A DETERMINATION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

Mr. Spickerman presented the following:

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQRA Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State, being 6 NYCRR Part 617, as amended (the "Regulations"), the Wayne County Board of Supervisors (the "Board"), as lead agency, desires to determine whether the following action may have a "significant effect on the environment" (as said quoted term is defined in the SEQRA Act and the Regulations) and therefore require the preparation of an environmental impact statement: An action to sell 0.018 acres of surplus property located directly adjacent to 8317 East Port Bay Road to William B. Dixon (the "Project"); and

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

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

RESOLVED, that the Board of Supervisors does hereby declare itself lead agency for the purposes of conducting the environmental review of the Project; and be it further

RESOLVED, as follows:

1. Based upon examination of the SEAF, and based further upon the Board's knowledge of the area surrounding the Project and such further investigation of the Project and its environmental effects as the County has deemed appropriate, the Board makes the following findings with respect to the Project:

(a) the Project consists of those components described in the first "Whereas" clause of this resolution; and

(b) there are no known potentially significant impacts on the environment other than those noted in and addressed and/or mitigated by the County as set forth in the SEAF.

2. Based upon the foregoing investigation of the potential environmental impacts of the Project and considering both the magnitude and importance of each environmental impact therein indicated, the Board makes the following findings and determinations with respect to the Project:

(c) The Project constitutes an Unlisted Action (as defined in the Regulations); and

3. The Project will not result in any large and important impacts and, therefore, is one which will not have a significant effect on the environment, and the Board will not require an environmental impact statement with respect to the Project; and

4. This determination constitutes a negative declaration for the purposes of the SEQRA Act.

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

RESOLUTION NO. 051-10: AUTHORIZE WESTERN FINGER LAKES SOLID WASTE MANAGEMENT AUTHORITY TO HOLD A HOUSEHOLD HAZARDOUS WASTE CLEAN-UP DAY AND A TIRE, PHARMACEUTICAL AND ELECTRONICS COLLECTION EVENT AT THE WAYNE COUNTY HIGHWAY DEPARTMENT

Mr. Spickerman presented the following:

WHEREAS, the Western Finger Lakes Solid Waste Management Authority conducts an annual household hazardous waste clean-up day for Wayne County residents; and the event has been scheduled for Saturday, September 25, 2010 at the Wayne County Highway Department; and

WHEREAS, the Authority also plans to hold tire, electronics and pharmaceutical collections the same day and at the same location; and the Authority Administrator consulted with the Highway Superintendent before establishing a date for the event; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors authorizes the Western Finger Lakes Solid Waste Management Authority to hold a household hazardous waste clean-up day and a tire, electronics and pharmaceutical collection event at the Wayne County Highway Department on September 25, 2010.

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

RESOLUTION NO. 052-10: ACCEPT GRANT AND AUTHORIZE COUNTY TREASURER TO DISBURSE SNOWMOBILE TRAILS FUNDING TO SNOWMOBILE CLUBS

Mr. Spickerman presented the following:

WHEREAS, Wayne County is the Local Sponsor for the Snowmobile Trails Grant-In-Aid program; and

WHEREAS, Wayne County applied for 2009-2010 aid through the NYS Office of Parks, Recreation and Historic Preservation and has been designated to receive a total of \$58,220 in allowable grant funds to maintain and develop approved snowmobile trails within the County; and

WHEREAS, New York State has provided Wayne County with a State Aid Voucher to apply for 70 percent reimbursement of the above referenced aid; now, therefore, be it

RESOLVED, that the Board of Supervisors accepts the 2009-2010 grant awarded by the NYS Snowmobile Grant-in-Aid program in the amount of \$58,220; and that the Treasurer is authorized to sign the voucher and the Planning Department is authorized to submit that voucher to the State for 70 percent reimbursement; and be it further

RESOLVED that upon receipt of reimbursement in the amount of \$40,754 (70%), the Wayne County Treasurer is hereby authorized to disburse those grant funds in the following manner:

Canalton Snowmobilers, Inc	\$7,399.00
Lakeshore Snow Devils	\$10,612.00
Old Erie Riders, Inc.	\$6,076.00
Webster Ridge Runners	\$6,251.00
Williamson Drift Riders	\$10,416.00

Mr. Plant commented that while in support of this resolution to disburse this grant funding to the snowmobile clubs, he reported on several complaints from Town of Walworth residents regarding a large amount of damage that has recently occurred relating to Snowmobilers. Mr. Plant stated that he is working with authorities to rectify this.

Mr. Kelsch, also in support of this resolution, is reporting similar complaints from Town of Ontario residents and agreed with Mr. Plant to assist authorities with these problems.

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

RESOLUTION NO. 053-10: APPOINTMENTS TO THE WAYNE COUNTY AGRICULTURAL DEVELOPMENT BOARD

Mr. Spickerman presented the following:

WHEREAS; the terms of office for the following members of the Agricultural Development Board expired on December 31, 2009:

Perry Howland, 7826 Jay St, Pultneyville, NY;

Arthur Crandon, 2625 Middle Sodus Road, NY Lyons;

Bill Hammond, 2728 Canandaigua Road, Macedon, NY; representing the Board of Supervisors; and

WHEREAS, the following people have been recommended for appointment to the Agricultural Development Board:

Colleen Roof, 6890 Pulver Road, Newark, NY; and

Brian Manktelow, 3353 Pilgrimport Road, Lyons, NY representing the Board of Supervisors; and

WHEREAS, the following person has been recommended for reappointment to the Agricultural Development Board:

Arthur Crandon, 2625 Middle Sodus Road, Lyons, NY; now, therefore, be it

RESOLVED, that Colleen Roof and Arthur Crandon are hereby appointed and reappointed respectively to the Agricultural Development Board for terms of office effective immediately and expiring on December 31, 2012; and be it further

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

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

RESOLUTION NO. 54-10: AUTHORIZE ANNUAL PAYMENT TO WESTERN FINGER LAKES SOLID WASTE AUTHORITY

Mr. Spickerman presented the following:

WHEREAS, the County of Wayne has appropriated the sum of \$1,143,893 as its share of the 2010 operating funds of the Western Finger Lakes Solid Waste Management Authority; now, therefore, be it

RESOLVED, that the payments shall be made in quarterly installments of \$285,973.25 each and the first payment shall be made in January of 2010; and be it further

RESOLVED, that funds will be used to support the following ongoing operations:

Curbside Recycling Collection Program \$624,468

Materials Recovery Center \$242,874

General Administration \$263,551

and be it further

RESOLVED, that the Authority will also provide the following specific program for the residents of Wayne County:

Household Hazardous Waste Cleanup Day \$13,000.

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

RESOLUTION NO. 055-10: AMEND AGREEMENT FOR LAND AND WATER CONSERVATION FUND GRANT FOR SODUS POINT PARK PROJECT

Mr. Spickerman presented the following:

WHEREAS, Resolution 832-04 authorized the acceptance of a Land and Water Conservation Grant in the amount of \$190,000 and the execution of all documents related to the grant; and the Chairman executed a grant agreement with the NYS Office of Parks, Recreation, and Historic Preservation with a term that began September 2, 2004 and

expired December 31, 2006; and

WHEREAS, Resolutions 187-07 and 274-09 authorized amendments to the Grant Agreement with the NYS Office of Parks, Recreation and Historic Preservation; and the NYS Office of Parks, Recreation and Historic Preservation has requested that Wayne County execute another amendment to the Grant Agreement by removing the following item from Appendix B-Budget:

- Marine Patrol Station; and

WHEREAS, the marine patrol station is removed because budgetary constraints did not allow it to be constructed as part of the bathhouse building as was originally intended; now, therefore, be it

RESOLVED, that the Chairman is authorized and directed to execute an amendment to the Grant Agreement that amends Appendix B-Budget as described above, subject to approval as to form and content by the County Attorney; and be it further

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

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

RESOLUTION NO. 056-10: AUTHORIZATION TO PAY WAYNE COUNTY FEDERATION OF SPORTSMEN'S CLUB 2010 APPROPRIATIONS

Mr. Spickerman presented the following:

WHEREAS, the Wayne County Board of Supervisors has budgeted 2010 funds for the Wayne County Federation of Sportsmen's Club; now, therefore, be it

RESOLVED, that the Clerk of the Board is hereby authorized to pay the sum of \$1,877 for the Account No. A87204.54000 - Fish and Game Department 2010 Appropriation to the Wayne County Federation of Sportsmen's Club, upon submission of claims for payment and after audit and approval of said claims by the Board of Supervisors.

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

RESOLUTION NO. 057-10 AUTHORIZATION TO PAY 2010 APPROPRIATION FOR PALMYRA UNION AGRICULTURAL SOCIETY COUNTY FOR THE WAYNE COUNTY FAIR

Mr. Spickerman presented the following:

WHEREAS, the sum of \$5,265 was appropriated in the 2010 County Budget for financial support to the Wayne County Fair through the Palmyra Union Agricultural Society; now, therefore, be it

RESOLVED, that the appropriated sum of \$5,265 shall be paid in a one-time payment to the Treasurer of the Palmyra Union Agricultural Society, upon receipt of an invoice submitted to the Clerk of the Board.

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

RESOLUTION NO. 058-10: APPROVING PAYMENT OF 2010 APPROPRIATIONS TO GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL

Mr. Spickerman presented the following:

WHEREAS, the County of Wayne has appropriated the sum of \$9,970 as its share of the 2010 operating funds of the Genesee/Finger Lakes Regional Planning Council; now, therefore, be it

RESOLVED, that the payment of \$9,970 to the Genesee/Finger Lakes Regional Planning Council for 2010 is hereby approved.

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

There was some discussion as to what this appropriation payment to the Genesee Finger Lakes Regional Planning Council was actually for.

Upon roll call, all Supervisors voted Aye, except Supervisors Hammond, Bender, Miller, Collier, LeRoy, Plant and Park who voted Nay. The Chairman declared the Resolution adopted.

RESOLUTION NO. 059-10: AUTHORIZING AGREEMENT WITH COOPERATIVE EXTENSION ASSOCIATION FOR PAYMENT OF 2010 APPROPRIATIONS

Mr. Spickerman presented the following:

WHEREAS, the sum of \$424,647 was appropriated in the 2010 County Budget for the support and maintenance of the work of the County Cooperative Extension Association of Wayne County; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign the Memorandum of Agreement concerning payment of County Appropriations submitted by Cooperative Extension, subject to the County Attorney's approval as to form and content, requiring Cooperative Extension to expend such funds in accordance with an agreement between the Association and Cornell University as agent for the State for the cooperative management of the educational work of the Cooperative Extension Association and the proper supervision of the professional staff employed, and in accordance with the budget of the Association submitted to Cornell University and the Board of Supervisors, and to render an annual report to the Board of Supervisors accounting for receipts, expenditures, and financial condition of Cooperative Extension; and be it further

RESOLVED, that the appropriated sum of \$424,647 shall be paid in equal quarterly installments to the bonded Treasurer of Cooperative Extension, upon audit and approval by the Board of Supervisors of vouchers submitted by Cooperative Extension in such form and containing such information and documentation as may be required by the Board of Supervisors, provided that Cooperative Extension shall comply with the County's Category II minimum insurance standards.

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

RESOLUTION NO. 060-10: RESCIND RESOLUTION NO. 434-09 AND AUTHORIZE APPLICATION FOR FUNDING TO NYSERDA ENERGY EFFICIENCY BLOCK GRANT PROGRAM FOR RECYCLING PROGRAM

Mr. Spickerman presented the following:

WHEREAS, the Federal Stimulus Program has appropriated \$17,856,360 to the NYS Energy Research and Development Authority (NYSERDA) for disbursement through the Energy Efficiency and Conservation Block Grant Program (EECBG) for eligible projects that include energy efficiency building retrofits and renewable energy technologies for government buildings; and Resolution No. 434-09 authorized Wayne County to apply for EECBG funding to install solar panels on the roof of the old nursing home as part of its rehabilitation project; and

WHEREAS, because the old nursing home has been vacant for more than 30 days, the project is considered by NYSERDA to be new construction and is therefore ineligible for EECBG funding; and

WHEREAS, material conservation programs, including recycling programs, are also eligible activities under the EECBG program; and

WHEREAS, only local governments are eligible applicants under this program, but they may sponsor an application for another entity; and

WHEREAS, the Western Finger Lakes Authority needs to upgrade its recycling collection fleet to expand the service area of the program, increase the amount of materials collected and to remove old and inefficient collection trucks from routes; now, therefore, be it

RESOLVED, that Resolution No. 434-09 is hereby rescinded; and be it further

RESOLVED, that the County Planning Director is authorized and directed to prepare and submit an application, with Wayne County serving as the sponsor, requesting \$500,000 from the EECBG program to defray the cost of the purchase of up to 5 new recycling collection trucks by the Western Finger Lakes Solid Waste Management Authority.

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

Mr. Spickerman moved to amend the final "RESOLVED" clause to reduce the requested amount from \$500,000 to \$300,000, and add a second "RESOLVED" clause, as follows:

"RESOLVED, that the County Planning Director is authorized and directed to prepare and submit an application, with Wayne County serving as the sponsor, requesting \$300,000 from the EECBG program to defray the cost of the purchase of up to 5 new recycling collection trucks by the Western Finger Lakes Solid Waste Management Authority; and be it further

RESOLVED, that the County Planning Director, will continue to seek grant opportunities for the aforementioned Solar Panel Project, will inform the County Administrator of any such opportunities as they are found, and will seek specific Board of Supervisors approval prior to making application.

Upon roll call to amend the resolution, all Supervisors voted Aye, except Supervisor Park who voted Nay. The Chairman declared the motion carried.

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

RESOLUTION NO. 061-10: AUTHORIZATION TO EXECUTE GRANT APPLICATION FOR HHS 2009 VOTING ACCESS FOR INDIVIDUALS WITH DISABILITIES/POLLING PLACE ACCESS IMPROVEMENT GRANT AND AMEND 2010 BUDGET

Mrs. Collier presented the following:

WHEREAS, the Federal Government appropriated \$12,154,000.00 to the states for the Voting Access for Individuals with Disabilities Grant program, and NYS proportionally sub allocated the 2009 VOTE grant funds for use by the county boards of elections; and

WHEREAS, the County has received a grant from New York State, HHS #T003009 for \$4,068.00 to cover such expenses to implement provisions of HAVA without fund matching; now, therefore, be it

RESOLVED That the Board of Election Commissioners are hereby authorized and directed to accept funding for this program from the New York State Board of Elections, in the amount of up to \$4,068.00 for the purpose of polling place access improvement for persons with disabilities, voter access and participation, after the Wayne County Attorney has approved the applications as to form and content; and be it further

RESOLVED, that the Clerk of the County Board of Supervisors is directed to forward the signed applications to the appropriate County Officials; and further

RESOLVED, that the County Treasurer be directed to amend the 2010 Country Budget as follows:

A1450-BOARD OF ELECTIONS:

\$4,068.00 to .43966 HHS Polling Access Imp T003009

\$4,068.00 to .54497 NYS Polling Access Imp T003009

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

RESOLUTION NO. 062-10: AUTHORIZE ADOPTING THE 2010 WAYNE COUNTY

DISABILITY BUDGET-MS FUND

Mrs. Collier presented the following:

WHEREAS, the 2010 County Budget needs to be amended for the costs associated with the Disability Program; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors does hereby approve the 2010 budget for the Disability Program and authorize the County Treasurer to amend the 2010 Budget as follows:

MS9055.42709	Employee Contributions	\$ 23,000.00
MS9055.42801	Interfund Reimbursement of Expenses	\$ 126,464.00
MS9055.54000	Contractual Expense	\$ 17,464.00
MS9055.58600	Disability	\$ 132,000.00

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

RESOLUTION NO. 063-10: RESOLUTION AMENDING RESOLUTION NO. 419-09 REGARDING ESTABLISHING A SICK LEAVE BANK AND AD HOC REQUESTS FOR ADDITIONAL SICK LEAVE

Mrs. Collier presented the following:

WHEREAS, Resolution 419-09 authorized county management staff to begin discussions with representatives of the CSEA regarding establishing a Sick Leave Bank; and Resolution 419-09 also indicated that the Board of Supervisors would consider ad hoc requests for the donation of annual leave time to those requiring additional sick leave time through December 31, 2009; and

WHEREAS, staff and CSEA Representatives have met several times to produce a framework for a workable Sick Leave Bank; and these discussions are continuing; and

WHEREAS, the County Administrator is recommending that the time frame outlined to entertain ad hoc requests for the donation of annual leave for sick leave in Resolution 419-09 be extended; now, therefore, be it

RESOLVED, that the second RESOLVED in Resolution 419-09 be amended to read as follows:

"that the Board of Supervisors will continue to address ad hoc requests for additional Sick Leave time from employees with the donation of Annual Leave time from other employees to be credited to the recipient employee as Sick Leave time until April 30, 2010"

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

RESOLUTION NO. 064-10: AUTHORIZATION TO PAY ANNUAL CONTRACT FEE WITH THE ESI EMPLOYEE ASSISTANCE GROUP (EAP) FOR THE PERIOD JANUARY 1 THROUGH DECEMBER 31, 2010

Mrs. Collier presented the following:

WHEREAS, ESI Employee Services EAP provided the County of Wayne with Employee Assistance Program services for the period January 1, 2009 – December 31, 2009; and the County of Wayne is desirous of entering into an agreement with ESI for the period January 1, 2010 – December 31, 2010 for the provisions of an EAP at the rate of \$19.07 per employee and DOT required Substance Abuse Evaluations at \$450.00 each; 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 ESI for the period January 1, 2010 – December 31, 2010 for the provision of an Employee Assistance Program at a rate of \$19.07 per employee; and DOT required Substance Abuse Evaluations at \$450.00 each; and be it further

RESOLVED, that the County Treasurer is authorized to make payment to ESI for 2010 for an amount not to exceed \$19,012.79 and charge individual departments accordingly.

(997 employees x \$19.07 = \$19,012.79)

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

RESOLUTION NO. 065-10: AUTHORIZATION TO AMEND PUBLIC HEALTH SLIDING FEE SCALE FOR YEAR 2010

Ms. Park presented the following:

WHEREAS, the County of Wayne Public Health Department prepares a sliding fee scale based on Medicaid poverty level changes determined by the Office of Medicaid management; and fees charged for such services are amended due to cost of program operations; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby, authorized and directed to amend the current fee scale to reflect Medicaid poverty levels and rate changes.

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

RESOLUTION NO. 066-10: AUTHORIZATION TO CERTIFY AND SUBMIT THE 2010 PUBLIC HEALTH STATE AID APPLICATION

Ms. Park presented the following:

WHEREAS, the NYS Dept. of Health requires an annual application for state aid be submitted based on the approved 2010 budget; and

WHEREAS, the application must be certified; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to certify the 2010 state aid application; and be it further

RESOLVED, that the Public Health Director is hereby authorized and directed to submit the 2010 application for state approval.

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

RESOLUTION NO. 067-10: AUTHORIZATION TO SUBMIT PRE-K ANNUAL ADMINISTRATIVE COSTS INCURRED REPORT

Ms. Park presented the following:

WHEREAS, Section 4410 of the Education Law entitles counties to receive administrative cost reimbursement of seventy-five dollars per eligible preschool student with a disability or the total County Administrative cost (whichever is lower); and a Statement of County Administrative costs incurred Under Section 4410 of the Education Law, July 1, 2008 – June 30, 2009 must be submitted to the State Education Dept. program Services Unit in order to receive such reimbursement; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute the Pre-K Program's completed Statement of Administrative Costs Incurred Report for submission to the State Education Dept. for reimbursement.

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

RESOLUTION NO. 068-10: AUTHORIZATION TO SUPPORT FINGER LAKES HEALTH SYSTEMS AGENCY

Ms. Park presented the following:

WHEREAS, Wayne County provides annual support funding to the Finger Lakes Health Systems Agency for the provision of health data and information to community agencies as part of community health assessment activities; now, therefore, be it

RESOLVED, that the Public Health Department provide support to Finger Lakes Health System agency in the amount of \$11,721.00 for fiscal year 2010.

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

RESOLUTION NO. 069-10: AUTHORIZATION TO RENT BILLBOARD SPACE FROM LAMAR ADVERTISING FOR CANCER SERVICES PROGRAM

Ms. Park presented the following:

WHEREAS, there is money budgeted for the rental of space for the advertising to recruit Wayne County residents to utilize cancer screening services and the costs include rental of 3 billboard spaces for a minimum of 60 days at \$3420 plus design/production charges of \$580; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to purchase billboard space and posters from Account No A4014 – 54557WHP.

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

RESOLUTION NO. 070-10: AUTHORIZATION TO CONTRACT WITH CORNELL COOPERATIVE EXTENSION TO PROVIDE SERVICES FOR THE HEALTHY COMMUNITIES CAPACITY BUILDING INITIATIVE

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) has a contract with the NYS DOH Bureau of Community Chronic Disease prevention for \$34,000 to plan for an environmental or public policy change project in regards to physical activity and healthy eating; and WCPH would like to subcontract with Cornell Cooperative Extension (CCE) to assist with the planning of such project at an amount not to exceed \$14,307 from 10/1/09 to 3/31/2010; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to execute a contract with Cornell Cooperative Extension on behalf of Wayne County Public Health at an amount not to exceed \$14,307 from October 1, 2009 till March 31, 2010, subject to approval from the County Attorney as to form and content.

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

RESOLUTION NO. 071-10: AUTHORIZATION TO EXECUTE AGREEMENT WITH RUSHVILLE HEALTH CENTER TO PROVIDE IN-KIND DENTAL SUPPLIES FOR SCHOOL-BASED MOBILE DENTAL CLINIC

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) has had a long standing collaboration with the Rushville Health Center, Inc.; and

WHEREAS, Rushville Health Center offers and provides dental care in several Wayne County School districts to all children; and

WHEREAS, the goal of this program is to enhance access to preventive and primary dental services for underserved children in rural communities; and

WHEREAS, WCPH would be responsible for disposable supplies needed for dental services not to exceed \$2,000 for the 2009 – 2010 school year; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized and directed to execute an agreement with the Rushville Health Center Community Dentistry program on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, for the period September 1, 2009 to June 30, 2010 at a cost not to exceed \$2,000.

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

RESOLUTION NO. 072-10: AUTHORIZATION TO AMEND RESOLUTION NO. 259-09 TO EXECUTE CONTRACT WITH PROVIDERS FOR EARLY INTERVENTION SERVICES

Ms. Park presented the following:

WHEREAS, the County is required to contract with approved providers of Early

Intervention services or programs; and

WHEREAS, Kelly Sperano has received authorization from the NYSDOH to provide Occupational Therapy services to Early intervention clients; and

WHEREAS, WCPH wishes to contract with Ms. Sperano, 622 Maris Run, Webster, NY 14580; now, therefore, be it

RESOLVED the Chairman of Board of Supervisors is hereby authorized and directed to execute a contract with Kelly Sperano at the per session rate established by the New York State Department of Health for the period 7/1/09 – 6/30/11, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 073-10: AUTHORIZATION TO AMEND RESOLUTION NO. 257-09 AUTHORIZING CONTRACT WITH PROVIDER OF RELATED SERVICES FOR PRESCHOOL CHILDREN WITH HANDICAPPING CONDITIONS

Ms. Park presented the following:

WHEREAS, the County must contract for the provision of related services for pre-school aged children with handicapping conditions, pursuant to Section 4410 of the Education Law; and

WHEREAS, Kelly Sperano has received authorization from the NYSDOH to provide Occupational Therapy services and WCPH wishes to contract with Ms. Sperano; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to execute a contract, subject to the County Attorney's approval as to form and content, with Kelly Sperano, 622 Maris Run, Webster, NY 14580, for Occupational Therapy services for pre-school children with handicapping conditions for \$56/.5 hr - 2009-2010; \$57/.5 hr - 2010-2011 for the period 7/1/09- 6/30/11 in accordance with rates approved by the Health and Medical Services Committee of the Board of Supervisors.

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

RESOLUTION NO 074-10: AUTHORIZING THE COUNTY ADMINISTRATOR TO ABOLISH TWO PART-TIME REGISTERED NURSE POSITIONS AND CREATE ONE FULL TIME LICENSED PRACTICAL NURSE POSITION

Ms. Park presented the following:

WHEREAS, the Wayne County Nursing Home currently has four vacant part-time registered nursing positions; and the nursing home has had difficulty recruiting or retaining part-time registered nursing positions; and

WHEREAS, to maintain staffing the use of overtime and Agency personnel have been utilized; and we have several applicants for the licensed practical nursing positions that can fill this need; now, therefore, be it

RESOLVED, that two (2) part-time Registered Nurse Positions are hereby abolished and one (1) additional full time Licensed Practical Nurse position is authorized to be filled effective January 20, 2010.

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

RESOLUTION NO. 075-10: AUTHORIZING TRANSFER OF LEAVE TIME FOR NURSING HOME EMPLOYEE

Ms. Park presented the following:

WHEREAS, Sharon Denk, Sr. Clerk Typist, will be out on family leave of absence due to medical reasons; and

WHEREAS, the following employees at the Wayne County Nursing Home are willing to donate Annual leave time to Sharon Denk:

Marjorie Ameele	14	Ellen Kenville	7.5
Melanie Brockhuizen	15	Patricia Metcalf	7.5
Joy Busco	2.75	Wanda Osmen	50
Kathleen Chapin	10	Kristeen Poole	21
Carol Cuthbert	7.5	Helen Smith	37.5
Gerda Despaw	10	David Wells	50
Giovanna Fasano	7.5	Vicky Wirth	21
Donna Forjone	22.50	Margaret Haroff	7.5

now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to transfer a total of 291.25 hours of Annual Leave Time to Sharon Denk as sick leave; and be it further

RESOLVED, that in the event the leave time is not used it shall not revert back to those donating the time.

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

RESOLUTION NO. 076-10: AUTHORIZATION TO EXECUTE AN AGREEMENT BETWEEN ELDER MEDICAL SERVICES PC AND THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, Elder Medical Services provides physician coverage including medical direction and direct resident care; and

WHEREAS, the contract with Elder Medical Services expires February 29, 2010; and WHEREAS, the nursing home is desirous to renew the contract with Elder Medical Services PC for the period March 1, 2010 through February 28, 2011 at a cost not to exceed \$33,516 a year. (same rate as 2009); now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute the contract with Elder Medical Services effective March 1, 2010 to February 28, 2011 at a cost not to exceed \$33,516 a year subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 077-10: AUTHORIZE CONTRACT FOR NURSE PRACTITIONER SERVICES WITH ROCHESTER GENERAL HOSPITAL

Ms. Park presented the following:

WHEREAS, Wayne County Nursing Home desires to enter into a telemedicine arrangement with Rochester General Hospital (RGH); and

WHEREAS, Wayne County Nursing Home requires the services of a qualified, experienced nurse practitioner to facilitate its participation in the Program; and

WHEREAS, RGH employs such a nurse practitioner and is willing to provide said services to WCNH at a fee of \$45 per hour; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute the agreement with Rochester Medical Group for Nurse Practitioner Services for the period January 1, 2010 – December 31, 2010, with optional one (1) year extension at \$45 per hour with County Board approval, for provision of telemedicine services, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 078-10: AUTHORIZATION TO RENEW CONTRACT FOR SERVICES FOR THE CERTIFIED HOME HEALTH AGENCY

Ms. Park presented the following:

WHEREAS, Wayne County Public Health needs to contract for home health aide services for the patients of the certified home health agency (CHHA); and

WHEREAS, the following provider is a licensed agency who have been able to provide such services; now, therefore, be it

RESOLVED that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a renewed contract with Lifetime Care, Inc., Home Care Plus for home health aide services on behalf of the County of Wayne and CHHA, subject to the provider being currently in compliance with the County's insurance requirements and the County Attorney's approval as to form and content for the period of January 1, 2010 to December 31, 2010.

Home Health Aide Services:

Premium hourly rate (2 hours or less)	\$25.50
Hourly rate (more than 2 hours)	\$21.50
Hourly holiday rate (more than 2 hours)	\$30.00
Hourly holiday rate (2 hours or less)	\$33.00

Holidays being: New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, and Christmas Day

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

RESOLUTION NO. 079-10: AUTHORIZATION TO APPOINT WIA WORKFORCE INVESTMENT BOARD MEMBER

Mrs. Crane presented the following:

WHEREAS, this Board, has authorized the creation of the Finger lakes Workforce Development Board for the Counties of Wayne, Yates, Seneca and Ontario in compliance with the Workforce Development Investment Act (WIA) of 1998; and the Workforce Investment Board members must be appointed by the respective Legislative Boards; and

WHEREAS, the Executive Director has solicited nominations in accordance with the Law; and the Finger Lakes Workforce Investment Board By-Laws state voting members shall be appointed for terms of three (3) years, and that terms shall be staggered; now, therefore, be it

RESOLVED, that this Legislature does hereby appoint the following representative to the Finger Lakes Workforce Investment Board to fill a three year term from 1/1/2010 through 6/30/12:

Martin Williams, Deputy Director, Aging Services
(Title V Representative)

and be it further

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

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

RESOLUTION NO. 080-10: AUTHORIZATION TO MODIFY WCAP-PARENT SUPPORT CONNECTION 2010 CONTRACT

Mrs. Crane presented the following:

WHEREAS, Wayne County Department of Aging and Youth submitted Resolution 820-09 to re-new the Wayne CAP Parent Support contract for the Family and Communities Together (FACT) Program. In 2010, the hours of parenting services per week will be increased from 30 to 40 hours to meet the increase in the case load. The corrected contracted amount for 2010 is not to exceed \$49,000; and

WHEREAS, funding for these services are 100% reimbursable from a Bullis Foundation Grant and Wayne County School Districts. The \$49,000 is currently budgeted

in the adopted 2010 budget; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors to is hereby authorized and directed to modify the Parent Support Connect contract, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the Wayne County Action Parent Support Connection Program in the amount of \$49,000. The funding is contingent on OCFS 2010 final funding allocations. The contract period is still January 1, 2010 through December 31, 2010.

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

RESOLUTION NO. 081-10: AMEND RES. NO. 855-09 AGREEMENT WITH ONTARIO COUNTY FOR USE OF NON-SECURE DETENTION FACILITY IN HOPEWELL

Mrs. Crane presented the following:

WHEREAS, Wayne County is required to have non-secure detention available as an alternative for placement of youth involved with either PINS or JD court proceedings, and Wayne DSS desires to secure the most cost-effective site possible; and

WHEREAS, the Hopewell Facility remains the most cost-effective site to secure these services despite the \$20/day increase in cost; and

WHEREAS, Resolution No. 855-09 dated November 17, 2009, authorized the Chairman of the Wayne County Board of Supervisors, to execute an agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Ontario County for the provision of non-secure detention beds at its Hopewell Facility at a rate not to exceed \$205 per day per child plus a \$20 per child health assessment fee for the period 1/1/10 – 12/31/10; and

WHEREAS, Ontario County notified us in December that the daily rate at the Ontario County Youth Care Facility will increase to \$225.00 from \$205.00 as of January 1, 2010, and that the additional fee for each child's health assessment performed will remain at \$20; now, therefore, be it

RESOLVED, that Res. No. 855-09 is hereby amended as follows to reflect the increased rate: that the Chairman of the Wayne County Board of Supervisors is hereby authorized, to execute an agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Ontario County for the provision of non-secure detention beds at its Hopewell Facility at a rate not to exceed \$225 per day per child plus a \$20 per child health assessment fee for the period 1/1/10 – 12/31/10.

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

RESOLUTION NO. 082-10: AUTHORIZE CONTRACT WITH NEW YORK STATE INDUSTRIES FOR THE DISABLED, INC. (NYSID) FOR CLEANING AND JANITORIAL SERVICES IN THE DEPARTMENT OF SOCIAL SERVICES BUILDING

Mrs. Crane presented the following:

WHEREAS, Resolution 99-09 authorized continuing our cleaning contract with NYSID for the year 3/1/09 – 2/28/10 in an amount of \$64,376.23; and we have the option of an additional year renewal with a term of 3/1/10 – 2/28/11 in an amount of \$65,663.75 (a 2% increase); and, the contractor has performed these services in a satisfactory manner in the past and is a preferred source contractor; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into an agreement, subject to the County Attorney's review, with NYSID for cleaning/janitorial services at the DSS building located at 77 Water Street for the timeframe 3/1/10 – 2/28/11 in an amount not to exceed \$65,663.75.

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

RESOLUTION NO. 083-10: AMEND RES. 841-09 AUTHORIZING CONTRACT WITH

RGRTA/WATS FOR ON-DEMAND TRANSPORTATION SERVICES

Mrs. Crane presented the following:

WHEREAS, Wayne County is required to meet participation rates or face possible fiscal penalties as a consequence specified by the Federal Deficit Reduction Act of 2005 and New York State statute; and one of the major barriers to work/work readiness participation is the lack of transportation; and

WHEREAS, New York State has provided, through the Office of Temporary and Disability Assistance, Community Solutions to Transportation (CST) monies to counties in the past, most recently in an amount of \$51,000 to Wayne County Department of Social Services (DSS); and

WHEREAS, Resolution No. 841-09 dated November 17, 2009, authorized an agreement with the Rochester Genesee Regional Transportation Authority, subject to review by the County Attorney, for the provision of on-demand transportation services to Wayne DSS clients for an amount not to exceed \$51,000 for the time period 1/1/10 – 12/31/10; and

WHEREAS, an amount of \$33,046 remains from the State budget year '09-'10 CST allocation; and Rochester Genesee Regional Transportation Authority (RGRTA) has also been allocated CST monies by New York State in the past; and the Wayne Area Transportation System (WATS) has provided timely and effective service in the past; now, therefore, be it

RESOLVED, that Resolution No. 841-09 is hereby amended to authorize the Chairman of the Wayne County Board of Supervisors to enter into an agreement with the Rochester Genesee Regional Transportation Authority/WATS, subject to review by the County Attorney, for the provision of on-demand transportation services to Wayne DSS clients for an amount not to exceed \$84,046 for the time period 1/1/10 – 12/31/10.

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

RESOLUTION NO. 084-10: AUDIT OF CLAIMS – January 19, 2010

Mr. Hammond 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 \$ 4,119,370.46 are hereby approved for payment and the Treasurer is hereby authorized and directed to make payment of the same:

1. A Fund	\$	3,478,676.40
2. D Fund	\$	205,813.57
3. DM Fund	\$	70,841.83
4. E Fund	\$	263,562.51
5. H Fund	\$	52,187.80
6. MS Fund	\$	48,288.35
7. S Fund	\$	0.00
Warrant Total	\$	4,119,370.46

and be it further

RESOLVED, that the following utilities totaling \$ 138,778.14, processed pursuant to Resolution No. 176-78, are hereby ratified:

1. A Fund	\$	93,235.84
2. DM Fund	\$	5,735.21
3. E Fund	\$	39,807.08
Utility Total	\$	138,778.14

and be it further

RESOLVED, that miscellaneous disbursement checks were processed for the following County Departments, totaling \$ 289,717.23 are hereby ratified:

1. Nursing Home	\$	96,135.00
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2. Sheriff-Misc.	\$	328.20
3. Sheriff-Pistol Permits	\$	2,733.25
4. Social Services	\$	19,857.00
5. County Attorney	\$	994.84
6. Dept. Aging and Youth	\$	500.00
7. Bd. of Supervisors	\$	205.00
8. Public Health	\$	607.00
9. Workers' Comp	\$	168,356.94
	\$	289,717.23

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

RESOLUTION NO. 085-10: AUTHORIZING 2010 LEGAL SERVICES CONTRACT WITH THE LEGAL AID SOCIETY OF WAYNE COUNTY, INC.

Mr. Plant presented the following:

RESOLVED, pursuant to Section 244(10) and Section 722 of the County Law, 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 the Legal Aid Society of Wayne County, Inc. for the provision of legal services in civil matters of indigent residents of Wayne County during the period from January 1, 2010, to December 31, 2010; and be it further

RESOLVED, that in full consideration of the services rendered by the Legal Aid Society during the term of the contract, the County shall pay the sum of \$197,654 or the total amount adopted in the 2010 budget, payable in 12 monthly installments of \$16,471.17, and shall provide rent-free office space in a County office building.

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

RESOLUTION NO. 86-10: AUTHORIZATION TO HIRE A DEPUTY SHERIFF AND PURCHASE ASSOCIATED EQUIPMENT

Mr. Plant presented the following:

WHEREAS, the Sodus Central School District has been awarded a Federal Safe Schools/Healthy Schools grant, which in part pays the salary of (1) FTE Deputy Sheriff School Resource Officer, vehicle, and related equipment for a four-year period (07-01-2009 through 06-30-2013), totaling \$386,813; and

WHEREAS, The Wayne County Board of Supervisors authorized the Wayne County Sheriff to participate in said Safe Schools/Healthy Schools grant program in Resolution No. 713-09; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign an agreement, upon review and approval of the County Attorney, with Sodus Central School District; and further

RESOLVED, that the County Treasurer amend the 2010 County Budget as follows:

A3114-ROAD PATROL:

\$111,545.00 to .42770 Misc
 \$ 40,641.00 to .51376 Deputy Sheriff
 \$ 22,500.00 to .52300 Motor Vehicle
 \$ 15,204.00 to .52500 Other equipment
 \$ 1,376.00 to .54187 Uniforms
 \$ 4,000.00 to .54483 Training-Seminars & Schools
 \$ 7,803.00 to .58100 Payments to NYS Retirement
 \$ 3,109.00 to .58200 Payments to Social Security
 \$ 16,249.00 to .58400 Hospitalization
 \$ 144.00 to .58600 Disability
 \$ 19.00 to .58901 Employee Assistance Program

\$ 500.00 to .58903 HRA Plan
and be it further

RESOLVED, that the Wayne County Sheriff is authorized to purchase the vehicle, and related itemized equipment as follows:

<u>Patrol car</u>	
A31142.52300	\$22,500.00
<u>Patrol car equipment</u>	
Light Bars:	\$1,880.00
MDT's	6,470.00
Install	1,400.00
Shotgun:	500.00
Cages	500.00
Flashlights	120.00
Portables	1,036.00
Mobile Radio	1,384.00
Push Bumpers	179.00
Siren	150.00
Speaker	100.00
Other vehicle equipment	200.00
<u>Other Equipment:</u>	
Gun	500.00
Soft Body Armor	785.00
A31142.52500	\$15,204.00

and be it further

RESOLVED, that the position of Deputy Sheriff funded within this resolution is hereby created and will be abolished upon grant funds expiring.

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

RESOLUTION NO. 087-10: AUTHORIZING PAYMENT OF 2010 APPROPRIATION FOR WAYNE COUNTY SOIL AND WATER CONSERVATION DISTRICT

Mr. LeRoy presented the following:

WHEREAS, the sum of \$184,475.00 was appropriated in the 2010 County Budget for the support and maintenance of the work of the Wayne County Soil and Water Conservation District; now, therefore, be it

RESOLVED, that the payment shall be made to the properly bonded Treasurer of the Wayne County Soil and Water Conservation District in three installments (January - \$61,491.67; April - \$61,491.67; July - \$61,491.67) upon submission by the Soil and Water Conservation District of claims for payment, after audit and approval of the claims by the Board of Supervisors; and be it further

RESOLVED, that the Wayne County Soil and Water Conservation District shall be reimbursed a total cost not to exceed \$100,000 by monthly voucher for actual costs for the drainage program; and be it further

RESOLVED, that the Wayne County Soil and Water Conservation District shall be reimbursed a total cost not to exceed \$59,100 by monthly voucher for actual costs for the weed harvesting program.

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

RESOLUTION NO. 088-10: AUTHORIZATION TO CONTRACT WITH SWBR ARCHITECTS FOR SERVICES ASSOCIATED WITH THE RENOVATIONS OF THE FORMER NURSING HOME FACILITY CONSTRUCTION PHASE

Mr. Spickerman presented the following:

WHEREAS, Wayne County has awarded bids for the renovation of the former Nursing

Facility based on a bid package prepared by SWBR Architects; and

WHEREAS, Wayne County will require the services of SWBR Architects during the construction phase of the renovation project; and

WHEREAS, SWBR Architects has provided a proposal dated November 20th, 2009, detailing said services which shall be made part of the contract; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement with SWBR Architecture, Engineering & Landscape Architecture, P.C., subject to approval by the County Attorney as to form and content, for the provision of architectural and engineering services during the construction phase of the renovation project as detailed in their proposal dated November 20th, 2009; and be it further

RESOLVED, that the fee for said services shall be \$190,750.00 for Architectural, Structural and Engineering Services with up to \$15,000.00 for reimbursable expenses associated with printing, reports, postage and mileage.

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

RESOLUTION NO. 089-10: AUTHORIZATION TO AMEND CONTRACT WITH WATCHDOG BUILDING PARTNERS, LLC

Mr. Spickerman presented the following:

WHEREAS, Wayne County entered into an agreement with Watchdog Building Partners, LLC. Based on a project scope, an estimated project budget, as well as an anticipated project schedule; and

WHEREAS, Wayne County expanded the scope of the project after the Construction Manager was selected, which in turn led to an increase in time required in preparing to bid for the project; and

WHEREAS, Wayne County has now awarded the project, which now gives us a total project amount, Watchdog Building Partners has prepared a proposal for additional services dated November 11, 2009 which identifies clearly the additional work and time to get to this point as well as an adjustment to their contract based on a percentage of total construction cost; and

WHEREAS, the proposal for additional services has been reviewed and approved by the Building Relocation Committee; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an amendment to the Contract with Watchdog Building Partners, LLC, subject to approval by the County Attorney as to form and content, which will increase their fee based on a set percentage of total construction cost not to exceed \$76,260.00.

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

OTHER BUSINESS

Mr. Plant moved, seconded by Mrs. Collier that one (1) resolution be allowed on the floor under Other Business. Upon roll call, all Supervisors voted Aye. Carried.

Mr. Marquette spoke to the Board about the County's desire to include building energy efficiencies for the Court House in the New York State Energy Research and Development Authority Energy Efficiency grant. The County is eligible to apply for up to \$500,000 in this funding and will request \$200,000 for this project and \$300,000 for the replacement of recycling collection vehicles. These funds will be used to hire a performance contractor to make recommendation for a heating/cooling system in the building that will reduce the consumption of energy.

RESOLUTION NO. 090-10: AUTHORIZE APPLICATION FOR FUNDING TO NYSERDA ENERGY EFFICIENCY BLOCK GRANT PROGRAM FOR ENERGY REDUCTION PROJECT IN COUNTY BUILDINGS

Mr. LeRoy presented the following:

WHEREAS, the Federal Stimulus Program has appropriated in excess of \$17 million to the NYS Energy Research and Development Authority (NYSERDA) for disbursement through the Energy Efficiency and Conservation Block Grant Program (EECBG) for eligible projects that include energy efficiency building retrofits and renewable energy technologies for government buildings; and

WHEREAS, the County Administrator has recommended that the county pursue Performance Contracting as a means to efficiently consider building systems improvements to reduce energy consumption and costs; and Performance Contracting is authorized by Article 9 of the Energy Law and by 104b of Municipal Law; and

WHEREAS, the County Administrator and Public Works Committee Chairman recently discussed the potential for a county application for NYSERDA RfP10 grant program with representatives of Watchdog Building Partners and TRANE U.S., Inc.; and TRANE U.S., Inc. is willing to complete the grant application and background work necessary at no obligation to the county; and

RESOLVED, that the Chairman of the Board of Supervisors is authorized execute an application, prepared by TRANE U.S., Inc., after review by the County Administrator and Buildings and Grounds Superintendent, for up to \$200,000 from the EECBG program to reduce the consumption of energy and related cost of the energy in county buildings; and be it further

RESOLVED, that the grant application shall indicate that Wayne County Government is willing to invest up to \$200,000 toward this project

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

EXECUTIVE SESSION: Mrs. Collier moved, seconded by Mr. Plant, that the Board go into Executive Session to discuss a personnel issue at 10:23 a.m. Upon roll call, carried.

Supervisor Miller was excused from the meeting.

REGULAR SESSION: Mr. Manktelow moved, seconded by Mr. Colacino that the Board resume regular session at 11:28 a.m. Carried.

Mr. Plant moved, seconded by Mr. Colacino that five (5) resolutions be allowed on the floor under other business. Motion carried.

RESOLUTION NO. 91-10: APPOINTING MICHAEL G. MCCROSSEN AS COMMISSIONER OF SOCIAL SERVICES FOR A FIVE YEAR TERM COMMENCING FEBRUARY 15, 2010

Mrs. Crane presented the following:

WHEREAS, the current term of the Commissioner of Social Services expires on February 14, 2010; and the County Administrator has recommended the reappointment of Michael G. McCrossen for another five year term as Commissioner of Social Services; and

WHEREAS, the Human Services Committee has reviewed the recommendation and is also recommending the reappointment; now, therefore, be it

RESOLVED, that Michael G. McCrossen is hereby reappointed as Commissioner of Social Services for a five year term commencing on February 15, 2010 and ending on February 14, 2015.

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

RESOLUTION NO. 92-10: ADOPTING 2010 SALARY SCHEDULE FOR COUNTY MANAGERIAL EMPLOYEES NOT SUBJECT TO COLLECTIVE BARGAINING

Mrs. Collier presented the following:

WHEREAS, the Government Operations Committee has determined 2010 Salaries for Managerial Support Staff not subject to Collective Bargaining Agreements and is recommending them in the schedule below to the Board of Supervisors; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby adopts the following schedule for County Managerial Employees not subject to Collective Bargaining Agreements for the year 2010 effective January 1, 2010:

<u>NAME</u>	<u>TITLE</u>	<u>2010</u>
Daniel Connors	Assistant County Attorney	\$71,571
	Assistant District Attorney (PT)	\$40,000
Christopher Bokelman	Assistant District Attorney (FT)	\$57,682
David Shaw	Assistant District Attorney (FT)	\$76,515
Jacqueline McCormick	Assistant District Attorney (FT)	\$60,032
John Barret	Assistant District Attorney (PT)	\$46,905
Bruce Rosenkrans	Assistant District Attorney (PT)	\$21,000
Cynthia Kukupka	Assistant District Attorney (PT)	\$30,395
Michael Calarco	Assistant District Attorney (PT)	\$30,395
James Reid	Assistant District Attorney (PT)	\$30,395
Elizabeth Sammons	Assistant District Attorney (PT)	\$28,137
Deborah Coons	Victim/Witness Coordinator (PT)	\$36,429
James Kernan	Assistant Public Defender (FT)	\$71,838
Andrew Correia	Assistant Public Defender (FT)	\$60,032
Gregory Power	Assistant Public Defender (PT)	\$44,094
Robert Zimmerman	Assistant Public Defender (PT)	\$39,629
Richard Youngman	Assistant Public Defender (PT)	\$29,510
William Hendricks	Assistant Public Defender (PT)	\$30,395
John Grow	Assistant Public Defender (PT)	\$30,395
Mark Krause	Assistant Public Defender (PT)	\$30,395
Jody Bornheimer	Deputy County Treasurer	\$54,899
Holly Sutherland	Second Deputy County Treasurer	\$41,530
Eileen Bennett	Deputy County Clerk	\$43,678
Karen Stewart	Second Deputy County Clerk	\$36,262
Christine Kalinski	Personnel Assistant	\$48,175
Kelley Borrelli	Deputy Election Commissioner	\$40,643
Joyce Krebbeks	Deputy Election Commissioner	\$40,643
Keith Kubasik	Fiscal Manager	\$92,906
Sandra Sloane	Clerk of the Board	\$41,589
Sally Smith	Administrative Assistant	\$54,332
Dr. Robert Bierbaum	Medical Director (PHCP)	\$15,000
Dr. Michael Shoemaker	Physician Clinical	\$4,500
William Liddle	EMS Coordinator (PT)	\$19,961
Edward Hunt	Deputy Director Mental Health	\$56,405
Patricia McKinny	Program Supervisor	\$56,966
Deborah Ball	Program Supervisor	\$50,933
Stacey Welch	Program Supervisor	\$50,647
James Reynolds	Supervising Psychologist	\$74,565
Dr. Ronald Biviano	Staff Psychiatrist	\$179,900
Lauren Morgan	Psychiatric Nurse Practitioner	\$73,797
Gary Bennett	Social Services Attorney	\$85,897
Cecily Molak	Assistant Social Services Attorney	\$53,346
Kathleen Pohl	Assistant Social Services Attorney	\$57,634
Philip Gerhart	Director of Social Services	\$70,071

Neil Washburn	Director of Administrative Services	\$63,183
Carol Kastrup	Staff Development Coordinator	\$51,852
Mary Lee Lippert	Head Social Welfare Examiner	\$54,408
Dennis Watrous	Information System Tech/Coordinator	\$46,017
Martin Williams	Deputy Director, Aging	\$44,335
Kathy McGonigal	Deputy Director, Youth	\$44,335
Brian Frey	Assist Highway Super Engineer	\$61,500
Daniel Rago	Junior Engineer	\$46,499
	General Highway Foreman	\$53,000
Andrew Richardson	Comptroller	\$57,400
Elizabeth Kanauer	Director of Nursing	\$73,001
Cheryl Acome	Assistant Director of Nursing	\$59,775
Gerda Despaw	Director of Housekeeping	\$42,386
Kathryn Barclay	Training Coordinator	\$54,071
Ora Rothfuss	Agricultural Development Specialist	\$49,946
Richard House	Undersheriff	\$70,000
VACANT	Corrections Major	\$68,800
VACANT	Chief Deputy	\$68,800
Patrick Wilson	E911 Tech Coordinator	\$52,788
Greg DeWolf	E911 Operations Manager	\$50,000
Jon Allen	Assistant Superintendent	\$52,788
Robert Howard	Animal Control Officer	\$ 4,350
Gary McIlwain	Animal Control Officer	\$ 4,100
Mark Plyter	Animal Control Officer	\$ 4,350

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

RESOLUTION NO. 93-10: ADOPTING 2010 SALARY SCHEDULE FOR COUNTY OFFICERS AND DEPARTMENT HEADS

Mrs. Collier presented the following:

WHEREAS, the Government Operations Committee has determined 2010 Salaries for County Officers and Department Heads and is recommending them in the schedule below to the Board of Supervisors; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby adopts the following schedule for County Officers and Department Heads for the year 2010 effective January 1, 2010:

<u>NAME</u>	<u>TITLE</u>	<u>2010</u>
Richard Healy	District Attorney	\$136,552
Thomas Warnick	County Treasurer	\$70,305
Jack Bailey	Election Commissioner	\$11,075
Richard Clark	Election Commissioner	\$11,075
James Marquette	County Administrator	\$116,133
Daniel Wyner	County Attorney	\$92,400
Ronald Valentine	Public Defender (PT)	\$85,785
Richard Bond	Fire Coordinator (PT)	\$27,857
Sharon Lilla	Director of Planning	\$64,287
Shirley Bement	Director of RPTS	\$63,345
Charles Dye	Human Resource Director	\$82,000
Linda Harissis	County Auditor	\$65,000
Kevin Rooney	Superintendent of Highways	\$76,120
Deborah George	Director of Information Technology	\$79,181
Henry Krasucki	STOP-DWI Coordinator (PT)	\$21,195

James Haitz	Director of Mental Health	\$89,739
M. Josh McCrossen	Commissioner of Social Services	\$85,590
Diane Devlin	Director of Public Health	\$71,750
Robert Manning	Director of Weights & Measures	\$48,465
Kathleen Templar	Employment & Training Director	\$45,619
Peter Evans	County Historian	\$31,039
George Bastedo	Director of Emergency Management	\$52,740
James Lee	E-911 Coordinator	\$65,214
Penny Shockley	Director of Aging & Youth	\$59,920
Richard Stevens	Director of Probation	\$74,366
David Sloane	Superintendent of Buildings & Grounds	\$69,849
Margaret Haroff	Nursing Home Administrator	\$75,343
Christine Worth	Director of Tourism & Promotion	\$52,442
Jamie Young	Director of Veteran Service (PT)	\$17,554

Mr. Groat protested of the Employment and Training Director receiving a 0% increase for 2010.

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

RESOLUTION NO. 94-10: ADOPTING 2010 SALARY SCHEDULE FOR COUNTY MANAGERIAL SUPPORT STAFF NOT SUBJECT TO COLLECTIVE BARGAINING

Mrs. Collier presented the following:

WHEREAS, the Government Operations Committee has determined 2010 Salaries for Managerial Support Staff not subject to Collective Bargaining Agreements and is recommending them in the schedule below to the Board of Supervisors; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby adopts the following schedule for County Managerial Support Staff not subject to Collective Bargaining Agreements for the year 2010 effective January 1, 2010:

<u>NAME</u>	<u>TITLE</u>	<u>2010</u>
Kaye McCormack	Sr. Personnel Clerk	\$31,212
Darcy Koller	Secretary, STOP-DWI Program	\$25,242
Peter Pallini	Election Clerk	\$29,022
Kristin Wagner	Election Clerk	\$29,022
Sheryl Nesbitt	Stenographic Secretary, DSS	\$36,620
Debbie Liseno	Secretary, Board of Supervisors	\$39,267
Betty Rose Chardeen	Secretary, Sheriff's Department	\$30,000
Sandra DeVolder	Secretary, District Attorney	\$37,049
Elaine Storto	Secretary, District Attorney	\$32,964
Kathy Fox-Groat	Secretary, Public Defender	\$33,772
Megan Fralick	Secretary, County Attorney	\$29,725
Melisa Bowman	Secretary, County Attorney	\$29,725
Giovanna Fasano	Secretary, Nursing Home	\$34,190
Kathleen Cahoon	Secretary, County Treasurer	\$30,332
Kelley Patchen-Loveless	Secretary, County Administrator	\$31,673
Allison Lavigne	Account Clerk	\$24,405
Cynthia Roden	Personnel Clerk (PT)	\$14,040
Christina Savage	Personnel Clerk (PT)	\$18.62/hr.
Michael Iocco	Personnel Clerk (PT)	\$18.62/hr.
Work Program Supervisor Sheriff's Department		\$14.37/hr.
Deputy Sheriff (PT)		\$14.98/hr.

Correction Officer (PT) \$14.45/hr.
Receptionist (Subs) \$11.43/hr.

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, all Supervisors voted Aye, except Supervisors Crane, Hammond and Park who voted Nay. Mr. Groat abstained from voting. Absent – Supervisor Miller. The Chairman declared the Resolution adopted.

RESOLUTION NO. 95-10: SETTING DATE FOR PUBLIC HEARING ON LOCAL LAW PROVIDING FOR CHANGES IN SALARIES OF CERTAIN COUNTY OFFICERS DURING THEIR TERM OF OFFICE (2010)

Mrs. Collier presented the following:

WHEREAS, the County of Wayne is desirous of providing for a salary increase for certain county officers during their term of office; and

WHEREAS, the Government Operations Committee is recommending 2010 salaries as listed below; now, therefore, be it

RESOLVED, pursuant to Section 20 of the Municipal Home Rule Law that the Board of Supervisors shall hold a public hearing on Thursday, February 18, 2010 at 9:15 a.m. in the Supervisors' Chambers in the County Court House, Lyons, New York, on the following proposed local law:

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

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

SECTION 1. The annual salary of the County Treasurer shall be \$70,305 effective January 1, 2010.

SECTION 2. The annual salary of the County Clerk shall be \$72,387 effective January 1, 2010.

SECTION 3. The annual salary of the County Coroner shall be \$38,401 effective January 1, 2010.

SECTION 4. The annual salary of the Commissioner of Social Services shall be \$85,590 effective January 1, 2010.

SECTION 5. The annual salary of the County Administrator shall be \$116,133 effective January 1, 2010.

SECTION 6. The annual salary of the County Attorney shall be \$92,400 effective January 1, 2010.

SECTION 7. The annual salary of the Public Defender shall be \$85,785 effective January 1, 2010.

SECTION 8. The annual salary of the Fire Coordinator shall be \$27,857 effective January 1, 2010.

SECTION 9. The annual salary of the Director of Real Property Tax Service shall be \$63,345 effective January 1, 2010.

SECTION 10. The annual salary of the Human Resource Director shall be \$82,000 effective January 1, 2010.

SECTION 11. The annual salary of the Superintendent of Highways shall be \$76,120 effective January 1, 2010.

SECTION 12. The annual salary of the Sheriff shall be \$86,508 effective January 1, 2010.

SECTION 13. The annual salary of the District Attorney shall be \$136,552 effective January 1, 2010

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

which such incumbent was entitled for such service and the compensation actually received therefore. Such lump-sum payment shall be made as soon as practicable after this local law becomes effective.

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

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

SECTION 17. This local law shall take effect on the date it is filed in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law of the State of New York and shall be deemed to have been in full force and effect from and after January 1, 2010.

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

Mr. Marquette distributed draft copies of the Wayne County Compliance Plan to Board Members for their review and consideration.

ADJOURNMENT:

The Chairman announced that the next meeting of the Board will be Wednesday, January 27, 2010 at 9:00 a.m. to consider the proposed Wayne County Compliance Plan.

The February Wayne County Board Meeting is scheduled for Thursday, February 18, 2010 at 9:00 a.m.

Mrs. Bender moved, seconded by Mr. Kelsch, that the board adjourn this session at 11:49 a.m. Carried.

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

3rd Day
Wednesday, January 27, 2010
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 Chairman Hoffman.

Upon roll call, all Supervisors were present. County Administrator James Marquette was also in attendance.

APPROVAL OF MINUTES:

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

Ms. Park moved, seconded by Mrs. Crane that one (1) resolution be allowed on the floor under other business. Motion carried.

RESOLUTION NO. 96-10: RESOLUTION ADOPTING WAYNE COUNTY COMPLIANCE PLAN IN ACCORDANCE WITH FEDERAL, STATE, AND OFFICE OF THE MEDICAID INSPECTOR GENERAL LAWS AND REGULATIONS

Mrs. Collier presented the following:

WHEREAS, the requirement to have a Compliance Plan is contained in both Federal and State Law to ensure that claims submitted to State Health Care Programs are true and accurate; and

WHEREAS, several county departments including the Nursing Home, Behavioral Health, and Public Health have established internal compliance plans; and the regulations promulgated by the Office of the Medicaid Inspector General require those organizations "...ordering, providing, billing, or claiming \$500,000 or more from Medicaid in a 12-month period..." to have a Compliance Plan and to actively make employees and contractors familiar with requirements and responsibilities outlined in the plan; and

WHEREAS, Wayne County Government receives in excess of \$500,000 Medicaid payments in a twelve month period and is required to have a Compliance Plan; and Wayne County Government is required to adopt a Compliance Plan that applies to all county departments and county contractors; now therefore be it

RESOLVED, that the Wayne County Board of Supervisors hereby adopts the Wayne County Compliance Plan that is appended to this Resolution and is on file with the Clerk of the Board of Supervisors.

Mr. Kelsch moved the adoption of the resolution. Seconded by Ms. Park.

County Administrator Marquette addressed the Board to present an overview of the proposed Wayne County Compliance Plan. Mr. Marquette stated that this plan reflects many revisions that were made at the Government Operations Committee, since the initial distribution of this plan at the last board meeting on January 19. Mrs. Collier added that many Supervisors were able to attend the Government Operations Committee that reviewed the proposed Wayne County Compliance Plan. The Supervisors that were not able to attend may have some other revisions that will need to be addressed in committee.

There was open discussion regarding the Wayne County Compliance Plan and many changes were recommended for today's meeting as well as some suggestions that will be presented at a later time.

EXECUTIVE SESSION: Mr. Lauderdale moved, seconded by Mr. LeRoy that the Board go into Executive Session at 9:13 a.m. to discuss a personnel issue. Upon roll call, carried.

REGULAR SESSION: Mrs. Crane moved, seconded by Ms. Park that the Board resume regular session at 10:03 a.m. Carried.

Mrs. Collier moved, seconded by Mr. Lauderdale that the following amendments for the proposed Wayne County Compliance Plan are as follows:

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"The Wayne County Regulatory Compliancy Policy Role

III. Responsibility

All employees, contracted practitioners, and vendors shall acknowledge that it is their responsibility to report any instances of suspected or known noncompliance to their immediate supervisor, the department head, the County Administrator or the Compliance Officer. Reports may be made without fear of retaliation, retribution, or breach of confidentiality. Failure to report known noncompliance or making false reports will be grounds for disciplinary action, including termination.

IV. Policies and Procedures

Wayne County will communicate its compliance standards and policies to all employees, contracted practitioners, and vendors. We are committed to these efforts through distribution of this Compliance Policy.

VII. Due Diligence

Wayne County will, at all times, exercise due diligence with regard to background and professional license investigations for all prospective employees, contractors and vendors.

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The Role of the Compliance Officer

I. Compliance Officer

The County Board of Supervisors of Wayne County designates the Wayne County Administrator as the Compliance Officer. In the absence of the Wayne County Administrator, the Human Resources Director will act as the Compliance Officer. The Compliance Officer has direct lines of communication to the County Administrator and the Board of Supervisors.

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Compliance Training

IV. Orientation

As part of their orientation, each employee, contractor and vendor shall receive a copy of the Compliance Plan, policies and specific standards of conduct that affect their position or information about where and how to find this information on-line."

Upon roll call to amend the resolution as outlined, all Supervisors voted Aye. Motion carried.

Upon roll call to adopt the amended resolution, all Supervisors voted Aye, the Chairman declared the Resolution adopted.

Mr. Lauderdale moved, seconded by Ms. Park that one (1) resolution be allowed on the floor under other business. Motion carried.

RESOLUTION NO. 97-10: AUTHORIZATION TO INSTALL NEW PHONE LINE AND VOICE MAILBOX

Mr. LeRoy presented the following:

WHEREAS, Wayne County is in the process of hiring a Compliance Officer; now, therefore, be it

RESOLVED, that the Superintendent of Building and Grounds is hereby authorized to install a new phone line with a voicemail box at a monthly cost of \$13.00 for the phone and \$2.50 for the voice mail box and that the monthly charges for said phone and voicemail box shall be billed to the County Attorney's Telephone expense line A1420.54230.

Mr. Plant moved the adoption of the resolution. Seconded by Ms. Park.

Mr. Lauderdale moved, seconded by Mr. Kelsch to amend the final "RESOLVED" in this resolution to reflect the changes that were adopted in Res. No. 96-10, pertaining to the Wayne County Compliance Plan, as follows. Motion carried.

"RESOLVED, that the monthly charges for said phone and voicemail box shall be billed to the County Administrator's Telephone expense line A12304.54230".

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

Mr. Spickerman moved, seconded by Mr. Groat that one (1) resolution entitled "Res. No. 98-10: AUTHORIZE CLIMATE SMART COMMUNITY PLEDGE" be allowed on the floor under other business. Upon roll call, all Supervisors voted Nay, except Supervisors Colacino, Spickerman, Groat, Crane, Manktelow, Bender, Collier and Hoffman who voted Aye. The Chairman declared the Motion defeated.

Mr. Spickerman moved, seconded by Mrs. Crane that one (1) resolution be allowed on the floor under other business. Upon roll call, all Supervisors voted Aye, except Supervisor Hammond who voted Nay. The Chairman declared the Motion carried.

RESOLUTION NO. 99-10: AUTHORIZE MEMBERSHIP IN EPA WASTEWISE PROGRAM

Mr. Spickerman presented the following:

WHEREAS, the EPA WasteWise Program encourages organizations to voluntarily reduce waste and save environmental resources while reducing greenhouse gas emissions; and partners benefit from reduced waste generation by saving money and being recognized as environmental stewards in the United States; and

WHEREAS, in registering with the WasteWise program, the County agrees to the following activities, with assistance from the staff of the Western Finger Lakes Solid Waste Management Authority:

- Submit baseline data within 60 days of registering,
- Report on waste management activities annually,
- Commit to:
 - Prevent waste (i.e. source reduction)
 - Recycle
 - Purchase or manufacture recycled content products
- Use the WasteWise logo in a manner that is consistent with the use guidelines, available at www.epa.gov/waste/partnerships/wastewise/guidelines.htm; and

WHEREAS, in return, EPA commits to provide:

- Public recognition, by recognizing partners on our website,
- Partner support and communications assistance,
- An online waste reporting and data management system,
- The opportunity to compete for WasteWise Program Awards; and

WHEREAS, registration with the WasteWise program positions the County to compete more effectively for funding related to environmental programs that contribute to the reduction of energy usage and greenhouse gas emissions, and by extension, the costs associated with unnecessary energy consumption and environmental cleanup; now, therefore, be it

RESOLVED, that the County Administrator is authorized and directed to register Wayne County with the U.S. EPA's WasteWise Program; and that reporting requirements on connection with the WasteWise program shall be the responsibility of the Western Finger Lakes Solid Waste Management Authority and shall be provided on behalf of, and at no additional cost to the County.

Sharon Lilla addressed the Board and entertained questions from Supervisors pertaining to the County's proposed participation with the EPA WasteWise Program.

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

EXECUTIVE SESSION: At 10:32 a.m., Mrs. Collier moved, seconded by Mr. Kelsch, that the Board go into Executive Session to discuss proposed litigation. Upon roll call, carried.

REGULAR SESSION: Mr. LeRoy moved, seconded by Mrs. Bender, that the Board resume regular session at 11:00 a.m. Carried.

The Chairman noted for the record that Supervisor Hammond was excused and left the meeting at 10:46 a.m., followed by Supervisor Plant who left at 10:59 a.m.

ADJOURNMENT:

The next scheduled meeting of the Board is Thursday, February 18, 2010 at 9:00 a.m.

Mrs. Crane moved, seconded by Mr. LeRoy, that the board be adjourned at 11:02 a.m. Motion carried.

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

4th Day
Thursday, February 18, 2010
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 Spickerman, 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. Lauderdale moved, seconded by Mr. Plant, 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 NO.

<u>Committee No.1</u>		<u>Finance</u>
A13202	County Auditor	0.00
A13204	County Auditor	110.70
A13254	Treasurer	3,759.54
A13554	Assessment - Real Property Tax	402.04
A16804	Information Technology	157,026.59
A19304	Judgments & Claims	13,075.70
A24904	Community College	4,201.52
A74104	Library	<u>47,182.50</u>
		\$ 225,758.59
<u>Committee No.2</u>		<u>Public Safety</u>
A11654	District Attorney	4,833.94
A11704	Public Defender	5,658.37
A11724	Legal Defense of Indigents	59,000.68

A11734	Wayne Pre-Trial Services, Inc.	9,219.92
A11854	Coroner	3,787.45
A11904	Grand Jury	1,383.53
A31104	Sheriff	7,003.59
A31114	Sheriff - Recreational Safety	120.77
A31124	Sheriff - Civil Office	38.60
A31134	Sheriff - Juvenile Office	145.40
A31142	Sheriff - Road Patrol	344.10
A31144	Sheriff - Road Patrol	6,132.02
A31154	Sheriff - Detective Unit	419.66
A31164	Sheriff - Court Security	214.05
A31174	Animal Abuse Investigations	944.49
A31402	Probation	238.98
A31404	Probation	6,442.43
A31504	Sheriff - Jail	86,046.79
A33154	Stop DWI	3,476.04
A34104	Mutual Aid (Fire Coordinator)	1,327.70
A36402	Emergency Management Office	2,644.00
A36404	Emergency Management Office	563.71
A36422	E911 Communications	1,327.82
A36424	E911 Communications	24,277.90
A36442	ALS Services	499.99
A36444	ALS Services	5,291.89
H19342	Radio Interoperability Project	<u>73,088.90</u>
		\$ 304,472.72

Committee No.3 Public Works

A16152	Buildings & Grounds	4,152.06
A16154	Buildings & Grounds	65,473.32
A16404	Central Garage	9,391.97
A66104	Consumer Affairs (W&M)	395.10
D50104	Highway Administration	1,239.24
D50204	Highway Engineering	358.09
D51104	Maintenance of Roads & Bridges	41,776.53
D51114	Road Striping & Sign Maint	86.25
D51122	Road Construction	98,507.36
D51424	Snow Removal - County	831,702.46
DM51302	Road Machinery	28,515.15
DM51304	Road Machinery	83,542.97
H19252	Co Bldg Renovation-ONH	<u>25,000.00</u>
		\$ 1,190,140.50

Committee No.4 Economic Development & Planning

A64104	Publicity (Tourism)	3,082.01
A64114	Tourism Matching Funds Program	12,371.49
A80204	Planning Board	<u>42,206.04</u>
		\$ 57,659.54

Committee No.5 Government Operations

A10104	Legislative Board	475.27
A10404	Clerk Legislative Board	195.22
A12304	County Administration	62.25
A14102	County Clerk	489.69
A14104	County Clerk	7,144.26
A14204	County Attorney	2,980.40
A14304	Human Resources	3,402.79
A14314	Cafeteria Plan	1,455.90

A14504	Board of Elections	2,192.78
A16714	Printing Department	1,982.80
A75102	County Historian	1,308.04
A75104	County Historian	465.50
MS17104	Administrative Fees	18,837.45
MS90554	Disability	4,287.50
S17104	Workers Comp	<u>28,850.00</u>
		\$ 74,129.85

Committee No.6 Health & Medical Services

A40102	Public Health	1,353.68
A40104	Public Health	17,070.79
A40112	Public Health Service	725.95
A40114	Public Health Service	42,234.75
A40162	PH - Early Intervention 0-1	204.00
A40164	PH - Early Intervention 0-1	94,965.34
A40174	PH - Child w/Spec Needs 3-5	596,863.28
A40184	Public Health Education	6,893.20
A40194	Wayne Community Nursing Care	36,577.59
A43004	Behavioral Health	96,183.09
A43224	Community Providers	366,583.00
E60002	NH Combined	7,103.05
E60004	NH Combined	<u>302,714.74</u>
		\$ 1,569,472.46

Committee No.7 Human Services

A60104	Administration	149,820.81
A60704	Purchase of Services	1,930.86
A61094	Family Assistance	40.00
A61234	Juv Delinquent Care	27,265.00
A61404	Safety Net	400.00
A62114	Title V Senior Comm Service	58.20
A62124	WFD/DSS Intensive Employment	1,752.78
A62144	Economic Opportunity & Develop	990.12
A62164	WFD-DSS TEAP	74.58
A62174	WFD-DSS WAGE SUBSIDY	2,490.49
A62182	WFD-PROJECT VETERAN RETURN	298.00
A62184	WFD-PROJECT VETERAN RETURN	11,306.33
A62934	WIA Adult	678.99
A62944	WIA Dislocated	1,160.42
A62954	WIA Youth	960.46
A62994	WFD-Administration	52.55
A65104	Veteran Services	2,231.49
A67724	Area Agency on Aging	54,460.84
A73104	Youth Bureau	<u>18,789.78</u>
		\$ 274,761.70

Warrant Total	\$ 3,696,395.36
During the Month Utilities	\$ 138,107.03
Miscellaneous Disbursements	\$ 238,371.54

Mr. Kelsch moved, seconded by Mrs. Collier, that the Summary of Claims be referred to the appropriate committees for audit. Upon roll call, carried.

COMMUNICATIONS:

The Clerk read the following:

A copy of the Sheriff's Cash Receipts Report for the month of February was received totaling 13,609.05.

A letter was received from G.C. "Doc" Malchoff, thanking the Board for the Proclamation he received on January 19, 2010, for recognition of serving as a member of the Wayne County Planning Board.

A copy of Resolution No. 15-2010 was received from the Chenango County Board of Supervisors requesting support for an amendment to County Law Section 214 regarding the leasing of county owned property for natural gas purposes.

A notification letter was received from the NYS Department of Correctional Services with information supporting their decisions concerning the closing of the minimum security component of the Butler Correctional Facility, along with other correctional facilities, scheduled in 2011.

Notification was received from the NYS Division of Housing and Community Development to announce a public comment period regarding the draft of the 2009 Consolidate Annual Performance Report (CAPER). The CAPER analyzes New York's progress in implementing its HUD-approved Annual Action Plan for 2009.

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

BIDS:

Wayne County Publicity and Tourism

- Printing of the Wayne County Travel Guides

Radio Interoperability Project

- Installation of Natural Gas Service for the Walworth Generator Project

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

ANNUAL REPORTS:

Wayne County Board of Elections

Wayne County Clerk's Office

Wayne County Dept. of Probation and Correctional Alternatives

Wayne County Veteran Service Agency

Mrs. Crane moved, seconded by Mr. Hammond, that all reports be received and filed. Upon roll call, carried.

PRIVILEGE OF THE FLOOR:

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

SCHEDULED BUSINESS:

Ms. Emilie Sisson, Director of the Wayne County Rural Health Network, made a presentation to the Board regarding the Wayne Rx Card Program.

Captain Donald Swain, Zone II Commander of New York State Police, addressed the Board and entertained questions regarding relocation and allocation of personnel in the Wayne County area.

Captain Swain took this opportunity to thank Board Members for their years of support while being Zone Commander and announced that he would be retiring in approximately 30 days from the New York State Police.

The Clerk read the following Notice of Public Hearing that was scheduled for 9:15 a.m.

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

NOTICE IS HEREBY GIVEN that the Wayne County Board of Supervisors will hold a public hearing on Thursday, February 18, 2010, at 9:15 a.m. in the Supervisors Chambers in the County Court House, 26 Church Street, Lyons, New York, on the following proposed local law:

COUNTY OF WAYNE – STATE OF NEW YORK

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

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

SECTION 1. The annual salary of the County Treasurer shall be \$70,305 effective January 1, 2010.

SECTION 2. The annual salary of the County Clerk shall be \$72,387 effective January 1, 2010.

SECTION 3. The annual salary of the County Coroner shall be \$38,401 effective January 1, 2010.

SECTION 4. The annual salary of the Commissioner of Social Services shall be \$85,590 effective January 1, 2010.

SECTION 5. The annual salary of the County Administrator shall be \$116,133 effective January 1, 2010.

SECTION 6. The annual salary of the County Attorney shall be \$92,400 effective January 1, 2010.

SECTION 7. The annual salary of the Public Defender shall be \$85,785 effective January 1, 2010.

SECTION 8. The annual salary of the Fire Coordinator shall be \$27,857 effective January 1, 2010.

SECTION 9. The annual salary of the Director of Real Property Tax Service shall be \$63,345 effective January 1, 2010.

SECTION 10. The annual salary of the Human Resource Director shall be \$82,000 effective January 1, 2010.

SECTION 11. The annual salary of the Superintendent of Highways shall be \$76,120 effective January 1, 2010.

SECTION 12. The annual salary of the Sheriff shall be \$86,508 effective January 1, 2010.

SECTION 13. The annual salary of the District Attorney shall be \$136,552 effective January 1, 2010.

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

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

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

SECTION 17. This local law shall take effect on the date it is filed in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law of the State of New York and shall be deemed to have been in full force and effect from and after January 1, 2010.

Dated: January 22, 2010
Lyons, New York

Sandra J. Sloane, Clerk
Wayne County Board of Supervisors

The Chairman opened the floor for public comment and requested persons interested in addressing the Board with their comments and concerns on the proposed Local Law to come forth.

No members of the public wished to comment, therefore, the Chairman requested for a motion to close the hearing.

Mr. Kelsch moved, seconded by Mr. Plant, that the hearing be closed. Upon roll call, carried.

The Chairman called for a five minute recess of the meeting at 9:45 a.m.

Margaret Churchill, Exec. Director of the Wayne Economic Development Corporation introduced Joseph Starks, President, and James Wiesner, Project Manager, of ECC Technologies, Inc.

ECC Technologies, Inc. is well into the process of conducting a study to determine the telecommunications needs of the county as part of the County's strategic plan for economic development. Mr. Starks suggested that the Board not apply for stimulus funding for this project as he felt that Wayne County would not qualify for several reasons. He shared information regarding his assessment of both strong and weak components of Wayne County's current telecommunications infrastructure — including fiber-optic lines, cell towers and service providers. Further, he identified areas where the county would want to focus for improvements to enhance and encourage business opportunity.

**RESOLUTION NO. 100-10: AUTHORIZATION TO AMEND RESOLUTION NO. 826-09-
CONTRACT RENEWAL WITH WAYNE COUNTY CHAPTER, NYS ASSOCIATION FOR
RETARDED CHILDREN**

Mrs. Crane presented the following:

WHEREAS, The Department of Aging and Youth contracts with NYS Association for Retarded Children (ARC), Key Industries to provide bulk meal preparation for our six congregate Senior Centers; and

WHEREAS, the Department was notified by ARC, that Key Industry conducted a meal cost analysis and the cost per meal is increasing from \$3.40 to \$3.50 for 2010; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors to 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 ARC (Key Industries), for the period of January 1, 2010 through December 31, 2010 for bulk meal catering; and be it further

RESOLVED, resolution # 826-09 is hereby amended to read that the terms and conditions of the contract remain the same as 2009, except the meal rate will be \$3.50 and the maximum contract amount will not exceed \$87,500 (including USDA funds). The funding is contingent on NYSOFA 2010 final funding allocations.

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

RESOLUTION NO. 101-10: AUTHORIZATION TO APPOINT AND REMOVE MEMBERS TO THE WAYNE COUNTY YOUTH BOARD

Mrs. Crane presented the following:

WHEREAS, the New York State Office for Children and Family Services requires each Youth Bureau to have an advisory Youth Board; and

WHEREAS, the appointment of Deb Germain has expired November 2009; and a new member, Jackie Van Lare from Walworth Recreation has agreed to represent the Walworth district; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors hereby appoints Jackie Van Lare to a three year term on the Youth Board for a term commencing on January 1, 2010 and ending on December 31, 2012.

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

RESOLUTION NO. 102-10: AUTHORIZATION TO REAPPOINT MEMBERS TO THE AGING SERVICES ADVISORY COUNCIL

Mrs. Crane presented the following:

WHEREAS, the New York State Office for the Aging requires each Area Agency on Aging to have an Aging Services Advisory Council; and

WHEREAS, the terms of eight members expired on December 31, 2009; and

WHEREAS, David Nussbaumer (Palmyra), Susan Nussbaumer (Palmyra), Mae Pitts (Williamson), Elva Robinson (Sodus), and Pam Taylor (Wayne County Public Health) desire to continue as members of the Aging Services Advisory Council for additional three-year terms; and

WHEREAS, Bob Hanson (Arcadia), Peggy Hanson (Arcadia), and Marylyn Ianiri (Sodus) have expressed an interest in filling the three remaining vacancies for three-year terms; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors hereby reappoints David Nussbaumer, Susan Nussbaumer, Mae Pitts, Elva Robinson, and Pam Taylor and appoints Bob Hanson, Peggy Hanson, and Marylyn Ianiri to the Wayne County Aging Services Advisory Council for a term commencing on January 1, 2010 and ending on December 31, 2012; and be it further

RESOLVED, that the appointments are hereby confirmed.

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

RESOLUTION NO. 103-10: AUTHORIZATION TO CONTRACT WITH WAYNE COUNTY ACTION PROGRAM- WAYNE INTENSIVE RESPITE SERVICES FOR 2010

Mrs. Crane presented the following:

WHEREAS, Wayne County Department of Aging and Youth is requesting authorization to contract with Wayne County Action Program Wayne Intensive Respite to provide respite services to youth that require emergency respite services as a placement prevention measure; and

WHEREAS, the contract would be in the amount of \$10,000 and 50% would be reimbursed by YDDP State funds; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the Wayne County Action- Wayne Intensive Respite Program in the amount of \$10,000. The funding is contingent on OCFS 2010 final funding allocations. The contract period is January 1, 2010 through December 31, 2010.

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

RESOLUTION NO. 104-10: AUTHORIZATION TO ABOLISH A SERVICES ASSISTANT POSITION/CREATE AN AGING SERVICE WORKER POSITION AND AGING BUDGET MODIFICATIONS

Mrs. Crane presented the following:

WHEREAS, the Aging department no longer requires a fourth Service Assistant position due to structural reorganization of job duties to better accommodate the department's needs; and

WHEREAS, the department recommends the Service Assistant Position be abolished (pay grade 28) and an Aging Services Worker Position be created (pay grade 12). The job duties of the Aging Services Worker are aligned with eligibility and intake functions. The Service Assistant position is responsible for case assistance and assessment; and

WHEREAS, The current Aging Worker position will be assigned Health Insurance Counseling intake and HEAP application processing and the new position will be responsible for Weatherization referrals, general information calls and Heap application processing; and

WHEREAS, the three remaining Service Assistants positions will be in charge of Health Insurance Counseling, NY Connects and Personal Emergency Response Unit that require assessment and case assistant functions; and

WHEREAS, the Aging Service Assistant title was renamed Service Assistant. The corresponding Service Assistant salaries need to be assigned to the correct job title to be aligned with the 2010 County budget; and

WHEREAS, from the resulting savings between the two positions, the department is further requesting budget modifications to cover the increase in bulk meal cost from \$3.40 to \$3.50 per meal, to Key Industry, and an increase in the 2010 Personal Care Aide Medicaid rate costs to Lifetime Care, Inc.; now, therefore be it

RESOLVED, that authorization be given to abolish one Service Assistant position (job rate \$21.02, pay grade 28) and create an Aging Service Worker position (job rate of \$16.99, pay grade 12), effective February 19, 2010 (the first day of a pay period after Board approval); and further be it

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to make the following modifications to the following accounts.

A6772-Area Agency on Aging:

\$160,904.00 from .51222 Aging Services Assistant

\$ 791.00 from .58100 Retirement

\$ 508.00 from .58200 Social Security

\$ 28,534.00 to .51149 Aging Service Worker

\$126,412.00 to .51576 Service Assistant-A&Y

\$ 4,757.00 to .54658 Genesee Region

\$ 2,500.00 to .54660 Key Industries

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

RESOLUTION NO. 105-10: AUTHORIZATION TO LEASE NEW MAIL HANDLING EQUIPMENT FOR THE DEPARTMENT OF SOCIAL SERVICES

Mrs. Crane presented the following:

WHEREAS, the Department of Social Services currently has a lease for mail handling equipment listed on New York State Contract with Pitney Bowes per Resolution No. 180-06 dated 3/21/06 at a cost not to exceed \$778.00 per month for the lease period April 1, 2006 to June 20, 2010; and

WHEREAS, Pitney Bowes is now offering the leasing of a new Digital Mailing System listed on New York State Contract at a cost not to exceed \$748 per month for the lease period March 30, 2010 to March 29, 2015; and

WHEREAS, the Department of Social Services wishes to upgrade to this new Digital Mailing System which has enhanced productivity and speed; and

WHEREAS, this upgrade will reduce the lease cost by \$30.00 per month for a total savings of \$1,800.00 over the term of the lease, compared to the current equipment's lease cost; now, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a 60-month lease agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Pitney Bowes, Inc., for the Leasing of a new DM-925 Digital Mailing System at a cost not to exceed \$748.00 per month, for the lease period of March 30, 2010 to March 29, 2015.

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

RESOLUTION NO. 106-10: AUTHORIZING AGREEMENT WITH WAYNE COUNTY ACTION PROGRAM, INC. FOR PAYMENT OF 2010 COUNTY APPROPRIATIONS FOR COMMUNITY ACTION PROGRAMS

Mrs. Crane presented the following:

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

WHEREAS, pursuant to Section 99-h of the General Municipal Law, the Board of Supervisors of the County of Wayne has appropriated funds for the year 2010 to be used to help defray the portion of the costs of certain programs which are not reimbursed by the Federal government, as follows:

Wayne County Action Program, Inc.	\$43,983
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now, therefore, be it

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

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

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

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

RESOLUTION NO. 107-10: AUTHORIZATION TO MENTAL HEALTH DEPT. TO CREATE AN ADDICTIONS THERAPIST POSITION

Ms. Park presented the following:

WHEREAS, the Sodus Central School District has been awarded a Federal Safe Schools/Healthy Schools grant, which will fund the salary and associated fringe benefits and for an Addictions Therapist for a four-year period (through 6-30-2013), totaling \$66,329 annually; and

WHEREAS, the Wayne County Department of Mental Health – Wayne Behavioral Health Network (WBHN) is an active member of the Safe Schools/Healthy Schools

partnership and also currently provides mental health services in the WBHN Mental Health Satellite Clinic's located in the Sodus Schools; and

WHEREAS, the creation of this position will provide the ability to bring needed health care addiction treatment to children residing in Wayne County and attending Sodus Schools; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement, upon review and approval of the County Attorney, with the Sodus School District in order for Wayne Behavioral Health Network to provide Addiction Therapy services to the District as a participant in the Safe Schools/Healthy Schools Grant Program and to receive the grant funds of \$66,329 annually through 6/30/2013; and be it further

RESOLVED, this position is fully funded with grant funds through 6/30/2013 and near the end of the grant funding cycle the position will be evaluated for possible continued sustainability to determine it will be able to fund itself through fee for service dollars; and be it further

RESOLVED, that the Director for Mental Health is authorized to create an Addictions Therapist position and the County Treasurer is authorized to amend the 2010 County Budget as follows:

A4300 – BEHAVIORAL HEALTH:

M4120

\$42,428.00 to .51498 Addictions Therapist

\$ 4,243.00 to .58100 NYS Retirement

\$ 3,246.00 to .58200 Social Security

\$10,967.00 to .58400 Hospitalization

\$ 144.00 to .58600 Disability

\$ 19.00 to .58901 EAP

\$ 5,282.00 to .54115 Clinic Supplies

\$66,329.00 to .42770 Misc. Revenue

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

RESOLUTION NO. 108-10: AUTHORIZATION TO WAYNE BEHAVIORAL HEALTH NETWORK TO EXECUTE CONTRACT WITH JOSHUA JONES, MD

Ms. Park presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) continues to remain in essential need of additional 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 budgeted in 2010 to contract for these additional services and the department remains in need of additional psychiatric medical staff services for the adult mental health clinic program; and

WHEREAS, Dr. Jones is a NYS Licensed Psychiatrist and is also a Diplomate of the American Board of Psychiatry and Neurology, and he is also a Board Certified Forensic Psychiatrist and can provide such services as needed; 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 County of Wayne, subject to the County Attorney's approval as to form and content, with Joshua Jones, MD, NYS Licensed Psychiatrist, at the rate of \$130.00/hour for the period of March 1, 2010 thru Dec. 31, 2010 in accordance with the Mental Health Departments 2010 Budget.

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

RESOLUTION NO. 109-10: AUTHORIZE 2010 BUDGET AMENDMENT AND EQUIPMENT REQUEST FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the Wayne County Nursing Home is requesting to purchase 5 resident ceiling lifts to maintain the safety of the residents and staff during care; and

WHEREAS, the ceiling lifts were contained in the 2009 budget but not purchased because of an extended period of time required to evaluate what type of lift to acquire; and

WHEREAS, this would increase the number of ceiling lifts for 2010 to eight (8); now, therefore, be it

RESOLVED, the Wayne County Nursing Home is authorized to purchase five (5) ceiling lifts; and be it further

RESOLVED, that the County Treasurer is directed to amend the 2010 Nursing Home Budget as follows:

E60000- Nursing Home:

\$34,000 to E60000-43002-E3020

\$34,000 to E60002-52000-E8410

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

RESOLUTION NO. 110-10: AMEND 2010 BUDGET TO TRANSFER FUNDS WITHIN THE NURSING HOME BUDGET

Ms. Park presented the following:

WHEREAS, the Compliance Officer services for the Wayne County Nursing Home have been contracted; and

WHEREAS, the Wayne County Nursing Home had budgeted for a Compliance Officer in the Personnel Services Budget; now, therefore, be it

RESOLVED, that the County Treasurer is directed to amend the 2010 Nursing Home Budget as follows:

E60001-Nursing Home:

\$54,527.00 from .51660-E8350

\$6,489.00 from .58100-E8460

\$4,171.00 from .58200-E8460

\$144.00 from .58601-E8460

\$19.00 from .58901-E8460

\$65,350.00 to .54952-E8310

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

RESOLUTION NO. 111-10: AUTHORIZING TRANSFER OF LEAVE TIME

Ms. Park presented the following:

WHEREAS, Sharon Denk, Sr. Clerk Typist, will be out on family leave of absence due to medical reasons; and

WHEREAS, the following employee at the Wayne County Nursing Home is willing to donate leave time to Sharon Denk: Elizabeth Kanauer – 15 hours

now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to transfer a total of 15 hours of leave time to Sharon Denk as sick leave.

Mrs. Crane moved the adoption of the resolution. Seconded by Mrs. Bender.

Ms. Park moved, seconded by Mr. Lauderdale to amend the resolution to add the following RESOLVED clause as follows:

“RESOLVED, that in the event the leave time is not used, it shall not revert back to those donating the time”.

Motion carried.

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

RESOLUTION NO. 112-10: AUTHORIZATION FOR THE PURCHASE OF COMPUTER EQUIPMENT FOR WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the Wayne County Nursing Home and Wayne County IT Department have updated the evaluated needs for Computer Placement for the 2010 year; and

WHEREAS, the Wayne County Nursing Home and Wayne County IT determined that the purchase of 18 desktop computers and 10 laptop computers at a cost of \$19,248.00 would serve the Nursing Home and enhance the electronic medical record transition; and

WHEREAS; the Wayne County Nursing Home has in the 2010 Budget the purchase of 20 desktop computers, and 4 laptop computers for a total of \$19,400; now, therefore, be it

RESOLVED that Wayne County Nursing Home 2010 Budget equipment addendum be amended to 18 desktop computers and 10 laptop computers; and be it further

RESOLVED, to authorize the Wayne County IT Department to purchase said equipment for the Wayne County Nursing Home.

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

RESOLUTION NO. 113-10: AUTHORIZATION TO RENEW CONTRACT WITH S2AY RURAL HEALTH NETWORK FOR WAYNE COUNTY PUBLIC HEALTH

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) wishes to renew its contract with S2AY Rural Health Network for the purpose of providing Quality Assurance and Quality Improvement services, administration of various public and private grants, retain services of an In-service Coordinator as independent contractor and sharing the cost with the S2AY Rural Health network partnership that includes Steuben, Schuyler, Ontario, Seneca, and Yates; and WCPH's share is \$16,000 for the period covering January 1, 2010 till December 31, 2010; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with S2AY Rural Health Network for the period January 1, 2010 to December 31, 2010 at a cost not to exceed \$16,000.

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

RESOLUTION NO. 114-10: AUTHORIZATION TO AMEND RES. 506-09 TO CONTRACT WITH WAYNE FINGER LAKES BOCES FOR TRANSPORTATION

Ms. Park presented the following:

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

WHEREAS, the Sodus Central School District has as of January 19, 2010 only one student on route to Roosevelt Children's Center in Newark, NY for a half day session; and

WHEREAS, the daily increased cost of the modification is \$66.00 for only one child to be transported on this route; now, therefore, be it

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 \$6,732.00 for the period of January 19, 2010 till June 30, 2010, subject to the approval of 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. 115-10: AUTHORIZATION TO AMEND RES. 506-09 TO CONTRACT WITH WAYNE FINGER LAKES BOCES FOR TRANSPORTATION

Ms. Park presented the following:

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

WHEREAS, the Sodus Central School District has as of January 4, 2010 only one student on route to Roosevelt Children's Center in Williamson, NY for a half day pm session; and

WHEREAS, the daily increased cost of the modification is \$66.00 for only one child to be transported on this route; now, therefore, be it

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 \$7326.00 for the period of January 4, 2010 till June 30, 2010, subject to the approval of the County Attorney as to content and form.

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

RESOLUTION NO. 116-10: AUTHORIZATION TO RENEW CONTRACT WITH NURSE PRACTITIONER FOR WAYNE COUNTY PUBLIC HEALTH

Ms. Park presented the following:

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

WHEREAS, service will be provided for not more than six hours per week at a rate of \$53.00/hour, not to exceed \$13,256 per year; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to renew the contract with Janine Quinlan, Nurse Practitioner, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content for the period 3/1/2010 to 2/28/2011, services will be provided for not more than six hours per week at a rate of \$53.00/hour, not to exceed \$13,256 per year.

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

RESOLUTION NO. 117-10: AUTHORIZATION TO CERTIFY AND SUBMIT THE 2010 AMENDED PUBLIC HEALTH STATE AID APPLICATION

Ms. Park presented the following:

WHEREAS, the NYS Dept. of Health requires an annual application for state aid be submitted based on the adopted 2010 budget; and

WHEREAS there are amendments to the adopted 2010 budget requiring the completion of an amended state aid application; and

WHEREAS, the application must be certified; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to certify the amended 2010 state aid application; and that the Public Health Director is hereby authorized and directed to submit the 2010 amended application for state approval.

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

RESOLUTION NO. 118-10: AUTHORIZATION TO EXECUTE CONTRACTS WITH PROVIDERS FOR SERVICES FOR CANCER SCREENING PROGRAM GRANT

Ms. Park presented the following:

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

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

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract, subject to the County Attorney's approval as to form and content, with the following providers on behalf of Wayne County Public Health Service, subject to the provider being in compliance with the County's insurance requirements for the contract period of April 1, 2010 to March 31, 2011 at an amount not to exceed \$250,000.

Contractors are:

Anesthesia Associate of Rochester, PC
Daniel Biery DO
Canal Park Family Medicine
Clifton Springs Hospital & Clinic/Finger lakes Breast care
Elizabeth Wende Breast Care, LLC
Finger Lakes Health
Finger Lakes Gastroenterology
Finger Lakes Medical Associates, LLP
Finger Lakes Women's Health
Robert Helft MD
Highland Breast Imaging Center
Faig Morgos MD
Newark Wayne Community Hospital
Quest Diagnostics, Inc
Rochester General Hospital
Rochester General Hospital – Dept. of Surgery
Strong Memorial Hospital – Department of Pathology Laboratory Medicine
Wayne Medical Group

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

RESOLUTION NO. 119-10: AUTHORIZATION TO CONTRACT WITH NYS DEPARTMENT OF HEALTH BUREAU OF IMMUNIZATION FOR AMERICAN RECOVERY AND REINVESTMENT ACT FUNDS FOR ADULT IMMUNIZATIONS

Ms. Park presented the following:

WHEREAS, the American Recovery and Reinvestment Act (ARRA) has provided funding for Wayne County Public Health (WCPH) to provide free adult immunizations to high risk populations; and

WHEREAS, WCPH will receive \$20,000 for the period of October 1, 2009 to March 31, 2011 to conduct such vaccination efforts through clinical or home visit settings; and

WHEREAS, the following adult immunizations will be provided to WCPH for free: seasonal influenza vaccine (fall of 2011), Tdap, Zostavax, Human Papiloma Virus, and Pneumococcal; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors for Wayne County is hereby authorized and directed to execute a contract with the New York Sate Department of Health Bureau of Immunization for WCPH to provide free adult vaccinations to high risk adult populations for the period of October 1, 2009 to March 31, 2011 for the amount of \$20,000, subject to the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 120-10: AUTHORIZATION TO AMEND 2010 BUDGET TO CARRY OVER GRANTS FOR HOFFMAN FOUNDATION AND PRESERVE NY GRANTS

Mrs. Collier presented the following:

WHEREAS, funds have been received by Wayne County from the Hoffman Foundation Grant and a Preserve NY Grant in 2009 to provide funding for necessary Historical projects; and

WHEREAS, a balance of \$94.72 in Hoffman Foundation Funds and \$2,800.00 in Preserve NY funds is available as of December 31, 2009 to complete the projects; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to transfer \$2,894.72 from appropriated fund balance to the following accounts:

A7510 – County Historian

\$ 94.72 to .54484 Hoffman Foundation

\$2,800.00 to .54476 Preserve NY

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

RESOLUTION NO. 121-10: ADOPTION OF EQUAL EMPLOYMENT OPPORTUNITY POLICY FOR WAYNE COUNTY

Mrs. Collier presented the following:

WHEREAS, the County of Wayne has a long standing commitment to providing equal employment opportunity to all citizens of the County; and

WHEREAS, the County has established a Diversity Task Force to promote equal employment opportunity; and

WHEREAS, the Diversity Task Force, the County Director of Human Resources, and the County Attorney have researched similar policies and developed a policy specifically for the County, including appropriate procedures for investigating and addressing alleged violations; and

WHEREAS, the Diversity Task Force has reviewed and recommends this policy for adoption by the Board of Supervisors; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby adopts this Equal Employment Opportunity Policy to become effective immediately for all levels of County government:

COUNTY OF WAYNE
EQUAL EMPLOYMENT OPPORTUNITY POLICY

It is the policy of the County of Wayne to provide at all levels of county government equal opportunity in employment and increase representation of people of color, women and other historically underrepresented groups through the use of all available personnel tools to recruit, hire, train, promote and retain qualified individuals. It is the intent of this policy to ensure that all citizens, regardless of race, color, national origin, gender, gender identity and expression, sexual orientation, age, religion, range of physical or mental ability have equal opportunity to compete for and obtain employment with the County of Wayne. The County is committed to building and maintaining a workforce of various cultures, including individuals from diverse backgrounds that reflect the population it is dedicated to serving. Each county department is expected to contribute to the support of this commitment.

The County of Wayne prohibits discrimination based on race, color, national origin, gender, gender identity and expression, sexual orientation, age, religion, range of physical or mental ability in violation of federal and state laws and county policy. Such discrimination will not be tolerated.

Complaints of Discrimination: If an individual believes he/she has encountered a violation or violations of this policy, the individual may advise his/her Department Head. In the event

that a complaint cannot be made to the Department Head, the complaint may be made to the Director of Human Resources, 26 Church Street, Lyons, New York 14489, telephone: 315-946-7483. In the event that a complaint cannot be made to the Department Head or the Director of Human Resources, the complaint may be made to the Wayne County Administrator, 26 Church Street, Lyons, New York 14489, phone 315-946-5480. In addition, an individual may file a written complaint with the Director of Human Resources, 26 Church Street, Lyons, New York 14489, telephone: 315-946-7483 within 30 calendar days of the incident. Retaliation against the complainant will not be tolerated.

Investigation: Wayne County's policy is to investigate all such complaints. If an investigation confirms that a violation has occurred, the County will take corrective action, including any appropriate discipline as permitted by law up to and including termination of employment.

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

RESOLUTION NO. 122-10: AUTHORIZATION TO PAY ACCUMULATED COMPENSATORY TIME

Mrs. Collier presented the following:

WHEREAS, Chris Hubbs earned and accumulated 256.50 hours of compensatory time while in the position of Highway Construction Foreman, a CSEA bargaining unit position; and

WHEREAS, Chris Hubbs was promoted effective January 8, 2010 to the position of General Highway Foreman, a salaried Managerial/Confidential position; and

WHEREAS, the Highway Superintendent and the Director of Human Resources seek authorization to pay Chris Hubbs for this earned compensatory time at the wage rate of \$22.776 per hour, Chris Hubbs' rate of pay in effect on January 7, 2010; now, therefore be it

RESOLVED, that Chris Hubbs will be paid gross wages of \$5,824.04 as full compensation for this earned compensatory time.

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

RESOLUTION NO. 123-10: ADOPTION OF LOCAL LAW PROVIDING FOR CHANGES IN SALARIES OF CERTAIN COUNTY OFFICERS DURING THEIR TERM OF OFFICE

Mrs. Collier presented the following:

WHEREAS, a proposed local law in relation to providing for changes in the salaries of certain County officers during their term of office was presented to the Board of Supervisors on Tuesday, January 19, 2010; and

WHEREAS, a public hearing on the proposed local law was held by the Board of Supervisors on Thursday, February 18, 2010 at 9:15 am, in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore, be it

RESOLVED, that said local law is hereby adopted to read as follows:

COUNTY OF WAYNE – STATE OF NEW YORK

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

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

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

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

SECTION 1. The annual salary of the County Treasurer shall be \$70,305 effective January 1, 2010.

SECTION 2. The annual salary of the County Clerk shall be \$72,387 effective January 1, 2010.

SECTION 3. The annual salary of the County Coroner shall be \$38,401 effective January 1, 2010.

SECTION 4. The annual salary of the Commissioner of Social Services shall be \$85,590 effective January 1, 2010.

SECTION 5. The annual salary of the County Administrator shall be \$116,133 effective January 1, 2010.

SECTION 6. The annual salary of the County Attorney shall be \$92,400 effective January 1, 2010.

SECTION 7. The annual salary of the Public Defender shall be \$85,785 effective January 1, 2010.

SECTION 8. The annual salary of the Fire Coordinator shall be \$27,857 effective January 1, 2010.

SECTION 9. The annual salary of the Director of Real Property Tax Service shall be \$63,345 effective January 1, 2010.

SECTION 10. The annual salary of the Human Resource Director shall be \$82,000 effective January 1, 2010.

SECTION 11. The annual salary of the Superintendent of Highways shall be \$76,120 effective January 1, 2010.

SECTION 12. The annual salary of the Sheriff shall be \$86,508 effective January 1, 2010.

SECTION 13. The annual salary of the District Attorney shall be \$136,552 effective January 1, 2010.

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

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

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

SECTION 17. This local law shall take effect on the date it is filed in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law of the State of New York and shall be deemed to have been in full force and effect from and after January 1, 2010.

Mrs. Collier moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, all Supervisors voted Aye. Except Supervisors Crane, Hammond and Park who vote Nay. The Chairman declared the Resolution adopted.

RESOLUTION NO. 124-10: AUTHORIZATION TO CORRECT 2010 SALARY CALCULATION FOR ONE MANAGERIAL EMPLOYEE

Mrs. Collier presented the following:

WHEREAS, the 2010 Managerial salary for one individual was incorrectly calculated;

and

WHEREAS, this incorrect salary is contained in Resolution 92-10; and

WHEREAS, it is necessary to correct this error; now, therefore, be it

RESOLVED that Resolution No. 92-10 is hereby amended to reflect the correct salary

as listed below:

Cecily Molak	Assistant Social Services Attorney	\$54,371
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Mr. Kelsch moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

RESOLUTION NO. 125-10: AUTHORIZING TO APPOINT MEMBERS TO WAYNE COUNTY FEDERATION OF SPORTSMEN'S CLUB BOARD

Mr. Spickerman presented the following:

RESOLVED, in accordance with New York State Department of Environmental Conservation Region 8 by-laws for the Fish and Wildlife Management Board the position of Sportsmen's Representative and All Sportsmen's Representative must be filled on the Fish and Wildlife Board with the recommendation of the Wayne County Board of Supervisors and it is the recommendation of this Committee that they be filled with James Hughes of Marion and Dave Dandino of Macedon respectively.

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

RESOLUTION NO. 126-10: APPROVING THE OFFICIAL UNDERTAKING OF PUBLIC EMPLOYEES FIDELITY BOND FOR THE GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL

Mr. Spickerman presented the following:

WHEREAS, the County of Wayne has appropriated the sum of \$9,970 as its share of the year 2010 operating funds of the Genesee/Finger Lakes Regional Planning Council; and

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

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

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

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

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

RESOLUTION NO. 127-10: AUTHORIZATION TO TRANSFER BALANCES OF FUNDS IN THE JOINT MUNICIPAL IMPROVEMENTS PROGRAM AND THE INDUSTRIAL DEVELOPMENT PROGRAM

Mr. Spickerman presented the following:

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

WHEREAS, the funds obligated but not expended in 2009 need to be added to the 2010 County Budget; and

WHEREAS, the County closed these accounts out to fund balance at the end of 2009; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to transfer \$801,424.00 in funds from the Appropriated Fund Balance as follows:

A6326 - ECONOMIC DEVELOPMENT ADMINISTRATION:

\$212,752.00 to A6326.54552 Joint Municipal Program

\$588,672.00 to A6326.54553 Industrial Development Sites

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

RESOLUTION NO. 128-10: REAPPOINTMENTS TO WAYNE COUNTY WATER AND SEWER AUTHORITY

Mr. Spickerman presented the following:

WHEREAS, the Chairman of the Board of Supervisors has recommended that the following members be reappointed to the Wayne County Water and Sewer Authority for a term of office beginning immediately and expiring December 31, 2012:

James Fabino
29 Clyde Road
Lyons, New York 14489

Jean Johnson
3600 Lorraine Drive
Walworth, New York 14568

Laverne Blik
5126 Steurys Road
Marion, New York 14505; now, therefore be it

RESOLVED, that the Board of Supervisors approves and ratifies these reappointments to the Wayne County Water and Sewer Authority.

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

RESOLUTION NO. 129-10: AUTHORIZATION TO ACCEPT PRINT BID FOR 2010 TRAVEL GUIDE

Mr. Spickerman presented the following:

WHEREAS, the Clerk of the Board of Supervisors duly advertised for bids for printing of the Wayne County Travel Guide; and Bids were Opened on January 28, 2010; and

WHEREAS, the following bids were received and reviewed by the Wayne County Director of Promotion and Tourism and the Planning Standing Committee of the Wayne County Board of Supervisors:

Bidder	70,000	75,000	80,000
Vanguard Printing LLC PO Box 4560 Ithaca, NY 14852-4560	\$ 26,025.75	\$ 27,518.80	\$ 28,644.17
Eastwood Litho, Inc 4020 New Court Ave Syracuse, NY 13206	\$ 27,596.00	\$ 29,258.00	\$ 30,874.00
Kenyon Press, Inc PO Box 710 Sherburne NY13460	\$ 26,005.00	\$ 27,634.00	\$ 29,192.00

Phoenix Graphics Inc 464 State St. Rochester, NY 14608-1739	\$ 27,880.00	\$ 29,668.00	\$ 31,458.00
Courier Printing Corp 24 Laurel Bank Ave. Deposit, NY 13754	\$ 28,810.00	\$ 30,681.00	\$ 32,552.00
GraphiColor 3490 North Mill Rd. Vineland, NJ 08360	\$ 30,168.82	\$ 32,022.45	\$ 33,924.53
Pinnacle Printers 620 South Ave. Rochester, NY 14620	\$ 27,650.00	\$ 29,550.00	\$ 31,360.00

now, therefore, be it

RESOLVED, that the bid submitted by Vanguard Printing LLC. for 75,000 units in accordance with the specifications at a price of \$27,518.80 in accordance with the specifications, is hereby accepted; and be it further

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

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

RESOLUTION NO. 130-10: AUTHORIZATION TO AMEND SNOW AND ICE CONTRACTS WITH GALEN, HURON, LYONS, MARION, ROSE AND WILLIAMSON

Mr. LeRoy presented the following:

WHEREAS, The per trip rates included in several Snow and Ice contracts between the County and the Towns need to be revised based on changes in mix design, salary adjustments or calculation errors, and

WHEREAS, the following rates should be used in the revised contracts:

Galen	\$923.71
Huron	\$858.06
Lyons	\$898.04
Marion	\$740.79
Rose	\$582.91
Williamson	\$1,232.74

now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute revised County/Town contracts for snow and ice control on County Highway during the 2009-2010 winter season, subject to the County Attorney's approval as to form and content for the following Towns:

Galen	\$ 923.71
Huron	\$ 858.06
Lyons	\$ 898.04
Marion	\$ 740.79
Rose	\$ 582.91
Williamson	\$1,232.74

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

RESOLUTION NO. 131-10: AUTHORIZATION TO SET HOURLY RATE FOR MECHANICAL WORK IN THE CENTRAL GARAGE

Mr. LeRoy presented the following:

WHEREAS, The Central Garage has been charging a rate of \$32.00 per hour since early 2008, and

WHEREAS, in an effort to cover the costs associated with the operations of the central garage, a rate increase to \$35.00 is warranted, now, therefore, be it

RESOLVED, that the billing rate for all County, WATS and other vehicles repaired at the Central Garage be \$35.00 per hour effective January 1, 2010.

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

RESOLUTION NO. 132-10: AUTHORIZATION TO ADVERTISE FOR BIDS FOR CONCRETE SIDEWALKS & GUTTERS FOR KNICKERBOCKER ROAD PROJECT

Mr. LeRoy presented the following:

WHEREAS, the County Highway Department will be rehabilitating a portion of Knickerbocker Road in the Town of Ontario; and

WHEREAS, there is a need for specialized services associated with the installation of concrete gutters and sidewalks on the project; and

WHEREAS, the sidewalks to be replaced are the responsibility of the Town of Ontario; now, therefore, be it

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to advertise for bids for Concrete Sidewalks & Gutters and Pavement Milling for the Knickerbocker Road Project (D51122.52632), in accordance with specifications prepared by the Highway Superintendent and subject to the County Attorney's approval as to form and content; and be it further

RESOLVED, that all costs associated with the sidewalks are to be the expense of the Town of Ontario; 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 a future 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. 133-10: AUTHORIZATION TO ISSUE REQUEST FOR PROPOSALS FOR ENGINEERING CONSULTANT SERVICES

Mr. LeRoy presented the following:

WHEREAS, the Wayne County Highway Department has identified five possible highway projects that could possibly receive funding under a proposed Jobs for Main Street Federal Stimulus Package; and

WHEREAS, the proposed county projects must be shovel ready by early summer or risk the loss of funding; and

WHEREAS, the proposed county projects require engineered plans and specifications and approvals from Federal Agencies to be eligible for the funding. These projects will involve a very aggressive timeline for engineering design to ensure the projects can be eligible for funding; and

WHEREAS, the Highway Superintendent has previously advised that such projects may require the assistance of consultants in order to help with projects that cannot be completed by the County Engineering staff. Furthermore, any projects that are designed by the County Engineering Staff will require assistance from a consultant to provide the full time inspection services during construction; now therefore, be it

RESOLVED, that the County Highway Superintendent is authorized to solicit

proposals from qualified consulting firms and will be positioned to enter into Agreement with firms(s) if the proposed county projects receive Federal funding.

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

RESOLUTION NO. 134-10: ESTABLISHING HOURLY WAGES FOR ENGINEERING TECH AND SEASONAL POSITIONS IN THE HIGHWAY DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, the Highway Department has annually hired a seasonal Engineer Tech position, five (5) Seasonal Laborers, and seven (7) Seasonal Motor Equipment Operators #2's ; and

WHEREAS, the 2010 budget contains funds for these position; and

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

RESOLVED, that the Wayne County Highway Superintendent is hereby authorized to compensate the following seasonal positions at the hourly rates stated for the Wayne County Highway Department:

- 1 Engineer Technician, Seasonal - \$13.00
- 5 Seasonal Laborers - \$8.75 for first seasonal year
\$9.75 for more than one (1) year experience and Laborer that drives for the herbicide applicator.
- 7 Seasonal Motor Equipment Operator #2 - \$14.751 for first seasonal year
\$15.751 for more than one (1) year experience

Mr. Miller moved the adoption of the resolution. Seconded by Mr. Manktelow. Upon roll call, adopted.

RESOLUTION NO. 135-10: AUTHORIZATION TO APPROVE HIGHWAY CONSTRUCTION AND SUPPLEMENTAL PROJECT STATEMENTS

Mr. LeRoy presented the following:

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

10-33	Minstead Road Project	\$330,000
10-36	Smith Road Culvert Project	\$ 25,000
10-37	Sodus Center Road Culvert Project	\$ 30,000
10-41	Magog Road Bridge Project	\$120,000
10-44	Salter Road Project	\$527,000
10-46	Miscellaneous Bridge Maintenance & Repair Project	\$ 22,000

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

09-18	Miscellaneous Guard Rail Project	\$ 26,000
09-30	Erie Street Culvert Project	\$ 13,000
09-32	Knickerbocker Road Project	\$507,000

now, therefore, be it

RESOLVED, that the Project Statements prepared by the Superintendent of Highways are hereby approved by the Board of Supervisors, and the Chairman of the Board and the Clerk of the Board are hereby authorized and directed to endorse such approval on the Project Statements; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to create line items and transfer funds as listed below:

D5112 ROAD CONSTRUCTION:

\$1,600,000.00 from .52600 Highway Construction
\$ 330,000.00 to .52633 Minstead Road Project
\$ 25,000.00 to .52636 Smith Road Culvert Project
\$ 30,000.00 to .52637 Sodus Center Road Culvert Project

\$ 120,000.00 to .52941 Magog Road Bridge Project
\$ 527,000.00 to .52644 Salter Road Project
\$ 22,000.00 to .52946 Miscellaneous Bridge Maintenance & Repair Project
\$ 26,000.00 to .52618 Miscellaneous Guard Rail
\$ 13,000.00 to .52630 Erie Street Culvert Project
\$ 507,000.00 to .52632 Knickerbocker Road Project

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

RESOLUTION NO. 136-10: AUTHORIZATION TO TRANSFER FUNDS AND CLOSE COMPLETED PROJECT FOR THE HIGHWAY DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, the Miscellaneous Bridge Rehabilitation Project was established in 2007 and should be closed and a new project will be set up to allow bridge repair work to be completed and tracked in the CHIPS program; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed amend the 2010 County Budget as follows:

D5112-ROAD CONSTRUCTION:

\$27,832.18 from .52988 Misc. Bridge Rehab Project
\$27,832.18 to .52946 Miscellaneous Bridge Maintenance & Repair Project;
and be it further

RESOLVED, that the highway bridge project D51122.52988 Misc. Bridge Rehab Project, having a zero balance, is hereby closed.

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

RESOLUTION NO. 137-10: AUTHORIZATION TO ACCEPT PROPOSAL FOR INSTALLATION OF NEW DOOR AT COUNTY OFFICE BUILDING #3, 9 PEARL ST

Mr. LeRoy presented the following:

WHEREAS, The front door of County office Building #0003, located at 9 Pearl St. in the Village of Lyons, is worn beyond any reasonable repairs, and

WHEREAS, three prices have been secured as follows:

ROCHESTER GLASS WINDOWS AND DOORS	\$ 4,970.00
ROSE CITY GLASS	\$ 5,762.54
IMPERIAL DOORS AND CONTROLS, INC.	\$ 5,200.00

and

WHEREAS, this was anticipated and budgeted for in the 2010 Buildings and Grounds Budget; now, therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to accept the proposal from Rochester Glass Windows and Doors in the amount of \$4,970.00; and be it further

RESOLVED, that this shall be paid for from the A16154.54407, Building maintenance and repair account.

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

RESOLUTION NO. 138-10: AUTHORIZATION FOR THE DISTRICT ATTORNEY TO HAVE VOICE MAIL ADDED TO THE OFFICE PHONES

Mr. Plant presented the following:

WHEREAS, the District Attorney' Office receives numerous phone calls each day for which messages need to be written and distributed to the District Attorney and Assistant District Attorneys, and for calls when the District Attorney and Assistant District Attorneys are in court and for when the office is not open; and

WHEREAS, the efficiency of the office would be enhanced by the use of voice mail;

now, therefore, be it

RESOLVED, that the District Attorney is hereby authorized to contact Buildings and Grounds and have voice mail added to his office phone system at a cost of \$2.50 per month per phone/\$210.00 per year.

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

RESOLUTION NO. 139-10: AUTHORIZATION TO AMEND CONTRACT FOR AID TO PROSECUTION GRANT

Mr. Plant presented the following:

WHEREAS, the Aid to Prosecution Grant (#CO099059) will expire on March 31, 2010; and

WHEREAS, the District Attorney has requested to extend the Aid to Prosecution Grant to September 30, 2010 in order to purchase budgeted items; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a grant extension execution from April 1, 2010 to September 30, 2010 on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the New York State Division of Criminal Justice Services to purchase vehicle emergency lights and install police radios; and be it further

RESOLVED, that the District Attorney is hereby authorized to expend grant funds noted above from the Aid to Prosecution Grant.

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

RESOLUTION NO. 140-10: AUTHORIZATION TO ACCEPT BID, EXECUTE CONTRACT, INSTALL NATURAL GAS SERVICE, AND APPROPRIATE PROJECT FUNDING FOR THE COUNTY'S RADIO INTEROPERABILITY PROJECT IN THE TOWN OF WALWORTH

Mr. Plant presented the following:

WHEREAS, the Clerk of the Board of Supervisors duly advertised for bids for the purchase and installation of a stand-by power generator for the Walworth tower site; and

WHEREAS, the following bids were received and reviewed by the 911 Coordinator and the Public Safety Committee:

New York State SitePower Corporation PO Box 92281 Rochester, NY 14692	\$23,113.00	\$24,494.00 (alternate)
O'Connell Electric Company 830 Phillips Rd. Victor, NY 14564	\$28,000.00	
Northeastern Electric 35 Regency Oaks Blvd. Rochester, NY 14624	\$28,800.00	
Colacino Industries Inc. 126 Harrison St. Newark, NY 14513	\$28,720.00	

and

WHEREAS, the New York State SitePower Corporation base bid specified a Generic generator, while their alternate specified a Cummins/Onan, which is the manufacturer of all eight other permanent County owned generators already under maintenance contract; and

WHEREAS, natural gas is available in the area, and is preferred for powering the generator, rather than the use of propane; and

WHEREAS, the following cost quotations have been secured relative to establishing natural gas connectivity to the generator:

Rochester Gas & Electric	\$2378.59
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Wayne County Highway not to exceed \$2250.00 (trenching, and sand)
now, therefore, be it

RESOLVED, that the County of Wayne hereby accepts the alternate bid of \$24,494.00 submitted by New York State SitePower Corp., and be it further

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute an agreement between the County of Wayne and New York State SitePower Corporation relative to the aforementioned bid, with such agreement subject to the approval of the County Attorney as to form and content, and be it further

RESOLVED, that payment for gas service installation and metering costs, payable to RG&E, shall be authorized, not to exceed, \$2379.00; and be it further

RESOLVED, that the Wayne County Highway Department shall be authorized to perform the trenching required for natural gas installation, and supply sand for the trench, according to the requirements of RG&E; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to transfer \$29,123.00 from A878 Undesignated Capital Reserve as follows:

A9950 – TRANSFER TO CAPITAL FUND PROJECT

\$29,123.00 TO .51934 Radio Interoperability Project

H1934 – RADIO INTEROPERABILITY PROJECT

\$29,123.00 TO .45031 – Interfund Transfer

\$29,123.00 TO .52000 – Equipment and Other Cap

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

RESOLUTION NO. 141-10: AUTHORIZATION TO ADVERTISE FOR BIDS FOR FIRE DEPARTMENT BASE RADIO EQUIPMENT

Mr. Plant presented the following:

WHEREAS, in association with the Communications Interoperability Project, all fire service dispatch communications channels will be moved from low band to VHF, (commonly referred to high band); and

WHEREAS, all fire departments located within Wayne County currently possess a County owned low band base station radio in each fire house, along with equipment utilized to decode and encode paging or alert tones generated from the 911 center to activate local sirens or paging equipment; and

WHEREAS, the aforementioned equipment will need to be replaced in association with the system upgrades underway; now, therefore, be it

RESOLVED, that, in association with the radio Communications Interoperability Project, the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for bids for the fire department base radio equipment project, to provide equipment to be located at each fire department, as required, which shall include:

- Installation and testing of one mobile radio
- Procurement, installation and testing of DC power supplies, and equipment necessary for encoding and decoding paging tones, and local tone generation
- Procurement, and installation of VHF antennas, coaxial cable, and various hardware as necessary

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 Mrs. Crane. Upon roll call, adopted.

RESOLUTION NO. 142-10: AUTHORIZATION TO ADVERTISE FOR BIDS FOR MOBILE

RADIO INSTALLATION SERVICES

Mr. Plant presented the following:

WHEREAS, in association with the Communications Interoperability Project, mobile radios will be installed into various municipality owned vehicles for the fire service, police departments, and EMS provider agencies in the county, as well as certain privately owned fire department chiefs' vehicles; and

WHEREAS, such installation services to be provided to any non-County agencies in association with the Project will be funded through the PSIC (Public Safety Interoperable Communications) grant program, whereby the County provides a 20% match for federal grant funds; now, therefore, be it

RESOLVED, that, in association with the radio Communications Interoperability Project, the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for bids for installation services for mobile radio applications, requesting that each bidder specify, among other items, both an hourly rate for installation work, and a base price for mobile radio and antenna system installation; 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. LeRoy moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

RESOLUTION NO. 143-10: AUTHORIZATION TO EXPEND GRANT FUNDS AND PURCHASE EQUIPMENT AND SUPPLIES FOR WAYNE COUNTY SHERIFF'S OFFICE

Mr. Plant presented the following:

WHEREAS, Resolution No. 710-08 authorized the acceptance of grant funds and the execution of a contract with NYS Homeland Security; and

WHEREAS, the equipment listed as follows was approved by NYS as acceptable use of the grant funding; and

WHEREAS, all of the equipment to be purchased, 7 portable radios \$29,188.32 , 7 chargers \$ 715.40 and 2 leather holsters at \$87.60 is available under NYS OGS purchasing contract Group 77200, Award 19521; and

WHEREAS, this equipment is necessary for the Sheriff's Office Emergency Response Team, now, therefore, be it

RESOLVED that Wayne County Emergency Management is authorized to purchase 7 portable radios at \$29,188.32, 7 chargers at \$715.40 and 2 leather holsters at \$87.60; and be it further

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

A3640-EMERGENCY MANAGEMENT OFFICE:

\$29,992.00 to .44306 Homeland Security

\$29,992.00 to .52203 Homeland Security Equipment

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

RESOLUTION NO. 144-10: TECHNICAL DECONTAMINATION AND HAZARD ASSESSMENT TEAM APPOINTMENTS

Mr. Plant presented the following:

WHEREAS, the Technical Decontamination and Hazard Assessment Team was established pursuant to resolution 476-06; and

WHEREAS, the Wayne County Fire Coordinator and the Director of Emergency Management is recommending Andrew Brooks (East Williamson Fire Department), Mike Mooney (Ontario Fire Department) and Stephen Niles (Pultneyville Fire Department) to serve on the Wayne County Technical Decontamination and Hazard Assessment Team;

now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors, upon recommendation of the Wayne County Fire Coordinator and the Director of Emergency Management hereby appoints Andrew Brooks, Mike Mooney and Stephen Niles to serve on the Wayne County Technical Decontamination and Hazard Assessment Team.

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

RESOLUTION NO. 145-10: AUTHORIZATION TO ENTER INTO A HOMELAND SECURITY TECHNICAL RESCUE & USAR GRANT PROGRAM AGREEMENT

Mr. Plant presented the following:

WHEREAS, authorization to enter into the NYS Office of Homeland Security 2009 Technical Rescue & USAR Grant Program was established pursuant to resolution 473-09; and

WHEREAS, Cayuga County will be the submitting partner and Wayne and Seneca Counties will be participating counties; and

WHEREAS, this Memorandum of Agreement (MOA) is intended to build regional Technical Rescue response capabilities by:

- Setting forth the responsibilities of the 2009 Technical Rescue Grant Program (TRGP) recipients; and
- Ensuring that the Technical Rescue Grant Program recipients work together to implement the projects, goals and objectives identified in their jointly-submitted Technical Rescue Grant Program Request for Proposal (RFP); now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors and the Fire Coordinator, upon review and approval of the County Attorney, are hereby authorized and directed to sign any documentation necessary to execute Wayne County as a participating partner in this grant and be it known, that no county monies will be expended.

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

RESOLUTION NO. 146-10: AUTHORIZATION TO EXECUTE AGREEMENT WITH EMSCHARTS, INC. FOR WAYNE COUNTY ALS SERVICES

Mr. Plant presented the following:

WHEREAS, Board of Supervisors resolution 822-07, duly passed on December 18, 2007, authorized the Chairman of the Board of Supervisors to execute an agreement with emsCharts, Inc., of Pittsburgh, PA, which would allow Wayne County ALS Services to convert to an electronic pre-hospital care report (PCR) system; and

WHEREAS, the aforementioned agreement was to include only basic service from emsCharts, which allows EMS services to input data exclusively from fixed locations with internet access; and

WHEREAS, the previously authorized agreement with emsCharts was never executed, as it was found that it would be impractical for the Wayne County ALS Technicians to input data exclusively from desktop computers at the bases of operation following the completion of each call for service; and

WHEREAS, emsCharts offers a mobile software application, at a cost of \$88.00 per month, that would allow WCALS employees to complete PCR's during the call for service, thereby increasing efficiency, and maintaining compliance with hospital requirements for submission of PCR's upon delivery of the patient to the hospital; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute an agreement with emsCharts, Inc. of Pittsburgh, PA, for an initial term of one year, with an option to renew, at a monthly cost not to exceed \$88.00, for the provision of electronic PCR's, including the mobile application and archiving, with such agreement subject to the review and approval of the County Attorney as to form and content.

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

RESOLUTION NO. 147-10: AUTHORIZATION TO EXECUTE 2010 MAINTENANCE CONTRACT WITH BI INC.

Mr. Plant presented the following:

WHEREAS, Wayne County enters into a Maintenance Agreement with BI Inc. for the support of Electronic Monitoring Equipment; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an extended warranty and support services agreement on behalf of the County of Wayne, subject to the County Attorneys approval as to form and content, with BI Incorporated for the contract period January 1, 2010 to December 31, 2010 at an annual cost of \$7,318.00 to cover thirty-five (35) Home Guard Monitoring Devices (HG-200); eighteen (18) Sobrietor Units (93-9300) and one (1) Drive-Bi Unit (HG-2220).

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

RESOLUTION NO. 148-10: AUTHORIZATION TO AMEND THE 2010 COUNTY BUDGET FOR THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP)

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office has received a grant in the amount of \$20,000 in overtime funds from the Governor's Traffic Safety Committee for participation in the Selective Traffic Enforcement Program (STEP) for the period October 1, 2009-September 30, 2010; and

WHEREAS, the Wayne County Board of Supervisors previously approved the acceptance of the grant for overtime funds by Resolution No. 711-09 and no funds were expended in 2009, now therefore, be it

RESOLVED that the Wayne County Treasurer is hereby authorized and directed to amend the 2010 County Budget as follows:

A3114-SHERIFF ROAD PATROL:

\$20,000.00 to .51912 Onetime STEP Program

\$20,000.00 to .43370 Traffic Safety Grants

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

RESOLUTION NO. 149-10: AUTHORIZATION TO MODIFY THE COUNTY BUDGET FOR THE HOMELAND SECURITY STATE LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office has received a grant in the amount of \$79,500 from the NYS Office of Homeland Security, to be used in support of law enforcement terrorism prevention-oriented planning, organization, training, exercise and equipment activities; and

WHEREAS, the Wayne County Board of Supervisors previously approved the acceptance of the grant by Resolution No. 712-09 with these funds being used to purchase an additional Sodus point Surveillance camera system, enclosures, power mounts, connectors, (2) back hauls, 45G 40' tower including installation \$29,198, (60) In-Car Computer printers \$16,500, Finger Print Card Scan System with maintenance \$4,200, (5) PC work stations for 911 dispatch consoles \$7,500, (1) Portable radio charger Bank for Command Post \$675, (2) Motorola Narrow band compliant portable radios \$13,827, and (11) Harris Swat radios \$7,600; and

WHEREAS, Wayne County is still awaiting executed contracts from the State of New York for such grant so that expenditures can be made; now therefore, be it

RESOLVED that the Wayne County Treasurer is hereby authorized and directed to

amend the 2010 County Budget for the purchase of an additional Sodus point Surveillance camera system, enclosures, power mounts, connectors, (2) back hauls, 45G 40' tower including installation \$29,198.00, (60) In-Car Computer printers \$16,500.00, Finger Print Card Scan System with maintenance \$4,200.00, (5) PC work stations for 911 dispatch consoles \$7,500.00, (1) Portable radio charger Bank for Command Post \$675.00, (2) Motorola Narrow band compliant portable radios \$13,827.00, and (11) Harris Swat radios \$7,600.00 as follows:

Account No A3114-Road Patrol
\$79,500 to .52500 Other Equipment
\$79,500 to .44306 Homeland Sec. Federal

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

RESOLUTION NO. 150-10: AUTHORIZATION TO MODIFY THE COUNTY BUDGET FOR 2009 FEDERAL PORT SECURITY GRANT PROGRAM FUNDING

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office has received a grant in the amount of \$233,051.00 from the Federal Emergency Management Administration (FEMA) under the American Recovery and Reinvestment Act, for an Underwater Search and Rescue Mobile Command Post estimated at \$161,376.00 and SWAT Team related equipment costing \$71,675.00, for the purpose of enhancing the Nation's port and maritime infrastructure, and to prevent, protect, respond to, and recover from threats or acts of terrorism; and

WHEREAS, the Wayne County Board of Supervisors previously approved the acceptance of the grant by Resolution No. 715-09; and

WHEREAS, the Sheriff has obtained quotes and is finalizing bid specifications for equipment authorized under the grant; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to amend the 2010 County Budget for the purchase of an Underwater Search and Rescue Mobile Command Post estimated at \$161,376.00 and SWAT Team related equipment costing \$71,675.00 as follows:

Account No A3111 Recreational Safety
\$161,376.00 to .52300 Motor Vehicle
\$ 71,675.00 to .52500 Other Equipment
\$233,051.00 to .43302 Homeland Security Federal

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

RESOLUTION NO. 151-10: AUTHORIZATION TO MODIFY THE 2010 COUNTY BUDGET FOR 2009 FEDERAL PORT SECURITY GRANT PROGRAM AWARD

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office has received a grant in the amount of \$109,585 from the U.S. Department of Homeland Security, Federal Emergency Management Administration, with matching funds of \$38,530 for the purpose of purchasing a Boat at a costs of \$123,291.00 and SCUBA related equipment at a cost of \$24,824.00, to enhance the Nation's port and maritime infrastructure, and to prevent, protect, respond to, and recover from threats or acts of terrorism; and

WHEREAS, the Wayne County Board of Supervisors previously approved the acceptance of the grant by Resolution No. 709-09; and

WHEREAS, the Sheriff has purchased the boat and part of the SCUBA equipment, and

WHEREAS, there is still SCUBA equipment that needs to be purchased \$7,412.00, now, therefore, be it

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to amend the 2010 County Budget as follows:

Account No A3111 Recreational Safety
\$7,412.00 to .52500 Other Equipment
\$7,412.00 to .43302 Homeland Security Federal

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

RESOLUTION NO. 152-10: AUTHORIZATION TO MODIFY THE 2010 COUNTY BUDGET FOR UNEXPENDED LEGISLATIVE GRANT FUNDS

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office has received a grant in the amount of \$60,000 from the NYS Division of Criminal Justice Services, for general operation and program costs for the Sheriff's Office, and

WHEREAS, the Wayne County Board of Supervisors previously approved the acceptance of the grant by Resolution No. 442-09; and

WHEREAS, the Wayne County Sheriff's Office has expended all but \$1,500.00 for upcoming specialized training of the authorized grants funds, and it be it further

RESOLVED that the Wayne County Treasurer is hereby authorized and directed to amend the 2010 County Budget for upcoming specialized training as follows:

Account No A3114-Road Patrol

\$1,500.00 to .43716 State aid

\$1,500.00 to .54483 Training

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

RESOLUTION NO. 153-10: AUTHORIZATION TO HIRE A DEPUTY SHERIFF FOR A POSITION TO BE VACATED

Mr. Plant presented the following:

WHEREAS, the Sheriff had been previously given permission to fill a position of Deputy Sheriff that is anticipated to be vacated by the forthcoming promotions of: Lieutenant to Chief Deputy; Sergeant to Lieutenant; and Road Patrol Deputy to Sergeant. All the stated promotions stem from the appointment of Chief Deputy Richard House to the position of Undersheriff; and

WHEREAS, immediate authorization was needed to fill this position, due to the Finger Lakes Law Enforcement Academy in Canandaigua, NY starting January 11, 2010, with the individual being sent to the academy; and

WHEREAS, the candidate to fill this position did not pass his background investigation and was not hired; and

WHEREAS, other candidates are currently being interviewed and backgrounds being performed, with the anticipation of enrolling a candidate in the Monroe County Public Safety Training Academy starting February 24, 2010; and

WHEREAS, the need to fill the position of Deputy Sheriff is still necessary to relieve a staffing shortage on the Road Patrol; now therefore, be it

RESOLVED, that the Sheriff is hereby authorized to fill the anticipated position vacancy for Deputy Sheriff.

Mr. LeRoy 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. 154-10: AUTHORIZATION TO AMEND THE 2010 COUNTY BUDGET FOR THE BUCKLE-UP NEW YORK GRANT

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office has received a grant in the amount of \$3,648 in overtime funds from the Governor's Traffic Safety Committee for participation in the Buckle-Up New York Program (BUNY) for the period October 1, 2009-September 30, 2010; and

WHEREAS, the Wayne County Board of Supervisors previously approved the acceptance of the grant for overtime funds by Resolution No. 927-09 and no funds were expended in 2009; now, therefore, be it

RESOLVED that the Wayne County Treasurer is hereby directed to amend the 2010 Budget as follows:

A3114-SHERIFF ROAD PATROL:

\$3,648.00 to .51911 Overtime-BUNY Program

\$3,648.00 to .43370 Traffic Safety Grants

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

RESOLUTION NO. 155-10: AUTHORIZATION TO ACCEPT A GRANT FROM THE GOVERNOR'S TRAFFIC SAFETY COMMITTEE AND AMEND THE COUNTY BUDGET

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office has received a grant in the amount of \$4,600.00 from the Governor's Traffic Safety Committee for participation in the Child Passenger Safety Program for the period October 1, 2009-September 30, 2010; now, therefore, be it

RESOLVED that the grant from the Governor's Traffic Safety Committee for participation in the Child Passenger Safety Program for the period October 1, 2009-September 30, 2010 in the amount of \$4,600.00 be accepted; now, therefore, be it

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 upon review and approval of the County Attorney; and it be further

RESOLVED that the Wayne County Treasurer is hereby directed to amend the 2010 County Budget as follows:

A3113-SHERIFF JUVENILE OFFICE:

\$4,600.00 to .54461 Public Education

\$4,600.00 to .43362 Child Passenger Safety Program

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

RESOLUTION NO. 156-10: AUTHORIZATION TO PURCHASE EMERGENCY LIGHTING FOR SNOWMOBILES FOR THE WAYNE COUNTY SHERIFF'S OFFICE

Mr. Plant presented the following:

WHEREAS, the Sheriff's Office has two snowmobiles that are used for public safety in patrolling snowmobile trails throughout the county during the winter months, and responding to emergencies in areas that are snow covered and inaccessible by other emergency vehicles; and

WHEREAS, the snowmobiles are currently equipped with out-dated, emergency lighting that is no longer functioning, and cannot be repaired; and

WHEREAS, New York State Parks and Recreation Law section 25.17 requires 360 degree emergency lighting to be installed on all public safety snowmobiles; and

WHEREAS, new LED (light emitting diode) surface mount lighting systems for snowmobiles, provide the necessary legal lighting requirements, have minimal draw on the electrical system, and provide greater visibility; thereby enhancing officer safety; and

WHEREAS, both snowmobiles can be equipped with the new lighting systems for a total cost of \$510.00; and

WHEREAS, the total cost of the lighting systems are fifty percent reimbursable by the New York State Department of Parks and Recreation; thereby making the county cost \$255.00; now, therefore, be it

RESOLVED, that the Sheriff be given permission to purchase two LED lighting systems; and be it further

RESOLVED, that the County Treasurer shall amend the 2010 County budget as

follows:

A3111-Recreational Safety

\$510.00 to .52500 Other Equipment

\$510.00 from .54191 Snowmobile Expense

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

RESOLUTION NO. 157-10: AUTHORIZATION TO APPLY FOR FEDERAL PORT SECURITY GRANT

Mr. Plant presented the following:

WHEREAS, the Sheriff's Office is in need of a tactical emergency response vehicle to safely deploy officers during active shooting situations, and to safely rescue injured officers and civilians pinned-down under gunfire. Such a vehicle is manufactured especially for police departments, and has been credited numerous times for safely rescuing downed police officers and civilians; and

WHEREAS, the Sheriff's Office is in need of dive team related equipment including; side-scan sonar, to aid in the recovery of drowning victims in large bodies of water; dry suits, so divers can make recoveries in cold water; underwater communications equipment , to aid divers in safely communicating with the dive master on the surface and other divers in the water; underwater digital camera, to assist in taking evidentiary photos under water; and a 12 foot inflatable boat, to deploy dive team members in smaller bodies of water, such as ponds and quarries; and

WHEREAS, the Sheriff's Office is in need of night vision equipment, used in operations, such as searches during night-time hours; and the Sheriff's Office is in need of portable voice translator devices, to be used in communicating with non-English speaking individuals during investigations where a bi-lingual person is unavailable; and

WHEREAS, the Sheriff's Office has identified a federal grant program through the Federal Emergency Management Agency (FEMA), that could be applicable to purchase of the above stated equipment; and

WHEREAS, the program, known as the FY 2010 Port Security Grant Program, requires no local match, and the Wayne County Sheriff's Office would be eligible to apply for said grant; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to submit, and the Chairman of the Board of Supervisors authorized to sign, a grant application for the FEMA administered FY2010 Port Security Grant Program, in an effort to secure funding for the emergency response equipment stated, not to exceed \$375,000.

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

RESOLUTION NO. 158-10: AUTHORIZATION TO ENTER INTO A MEMORANDUM OF UNDERSTANDING TO SUPPORT SEXUAL ASSAULT NURSE EXAMINER PROGRAM

Mr. Plant presented the following:

WHEREAS, Newark-Wayne Community Hospital provides a service for victims of sexual assault called the Sexual Assault Nurse Examiner (SANE) Program; and

WHEREAS, the SANE Program is a service where specially trained registered nurses provided compassionate care to victims of sexual assault on one-on-one basis, at Newark-Wayne Community Hospital; and

WHEREAS, Newark-Wayne Community Hospital and the Victim Resource Center of the Finger Lakes request to enter into a Memorandum of Understanding with the Wayne County Sheriff's Office, whereby Wayne County Sheriff's Deputies will be made aware of the SANE Program and the Victims Resource Center services; and

WHEREAS, that Sheriff's deputies will make every attempt to connect victims with the available services of rape crisis advocates and forensic medical examiners 24/7, and also, that sheriff's deputies will provide emergency transportation of victims to Newark-

Wayne Community Hospital for such SANE services; and

WHEREAS, there is no cost to the Sheriff's Office; now, therefore, be it

RESOLVED, that the Chairman of the Board, the District Attorney and the Sheriff is hereby authorized to sign a Memorandum of Understanding with Newark-Wayne Community Hospital and the Victims Resource Center of the Finger Lakes regarding the SANE Program, upon review and approval of the County Attorney.

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

RESOLUTION NO. 159-10: AUTHORIZATION TO ENTER INTO A EQUITABLE SHARING AGREEMENT WITH THE UNITED STATES DEPARTMENT OF JUSTICE

Mr. Plant presented the following:

WHEREAS, the U.S. Department of Justice works closely with more than 8,000 state and local law enforcement agencies, including the Wayne County Sheriff's Office, on cases involving the seizure and forfeiture of property and funds. Through the Equitable Sharing Program, the Department of Justice is able to distribute forfeited property and funds to participating agencies, including the Wayne County Sheriff's Office, which helps offset crime investigation costs; and

WHEREAS, before any property and/or funds can be distributed to the Wayne County Sheriff's Office, the Sheriff's Office must be in compliance with the reporting requirements of the Department of Justice; and

WHEREAS, the Sheriff and the Chairman of the Board of Supervisors must enter into an Equitable Sharing Agreement for the fiscal year of 2009 by February 28, 2010; and

WHEREAS, there is no cost to the Sheriff's Office to participate in the Equitable Sharing Program. Now, therefore, be it

RESOLVED, that the Sheriff and the Chairman of the Board of Supervisors are hereby authorized to enter into an Equitable Sharing agreement with the US Department of Justice, and sign a certification form, upon review and approval of the County Attorney.

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

RESOLUTION NO. 160-10: AUTHORIZATION TO SIGN RENEWAL CONTRACT WITH TYLER TECHNOLOGIES FOR MUNIS SOFTWARE & FOR OPERATING SYSTEM

Mr. Hammond presented the following:

WHEREAS, the MUNIS software is the database where all of the county financial information is kept; and

WHEREAS, the maintenance comes up for renewal on an annual basis on March 17th; 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 Tyler Technologies for the following:

1. MUNIS software for the contract period from starting March 17, 2009 to March 16, 2011 at a cost not to exceed \$114,104
2. Operating System and Database Administration contract period from starting March 17, 2010 to March 16, 2011 at a cost not to exceed \$27,777.

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

RESOLUTION NO. 161-10: AUTHORIZATION TO EXECUTE A SERVICE CONTRACT WITH SMS FOR IBM HARDWARE MAINTENANCE

Mr. Hammond presented the following:

WHEREAS, the IBM Hardware that is used by IT needs to be covered by maintenance and the Information Technology Department has previously used Tri-Delta for

said coverage; and

WHEREAS, SMS's business is providing warranties on equipment after the manufacturer's warranty has expired; and

WHEREAS, SMS could offer the same service for the period January 1, 2010 to December 31, 2010 at a cost not to exceed \$2,400.00 which is lower than Tri-Delta is charging; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract for the Department of Information Technology, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with SMS for Network IBM Hardware Maintenance for the contract period of January 1, 2010 to December 31, 2010 at a cost not to exceed \$2,400.

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

RESOLUTION NO. 162-10: AUTHORIZING PAYMENT OF SETTLEMENT TO STATE FARM INSURANCE AND MARY LEVINER

Mr. Hammond presented the following:

WHEREAS, State Farm Insurance filed a claim, dated February 9, 2010 against the County of Wayne regarding an automobile accident that occurred on February 2, 2010 between a vehicle owned by the County of Wayne and State Farm Insurance's insured Mary Leviner; and

WHEREAS, the parties are desirous of settling said claim for a total amount not to exceed One Thousand Nine Hundred Fifty Five and 09/100 dollars, (\$1,955.09) payable to State Farm Insurance and Two Hundred Fifty and 00/100 (\$250.00) made payable to Mary Leviner; now, therefore, be it

RESOLVED, that the claim between State Farm Insurance, Mary Leviner 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 State Farm Insurance in the amount of One Thousand Nine Hundred Fifty Five and 09/100 dollars, (\$1,955.09) and a check made payable to Mary Leviner in the amount of Two Hundred Fifty and 00/100 dollars (\$250.00) from Account No. A1930 (Judgment and Claims), as directed by the Wayne County Attorney.

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

RESOLUTION NO. 163-10: TAX REFUND – ERROR ON TAX ROLL

Mr. Hammond presented the following:

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

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

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

TOWN OF HURON

2010 Tax Roll

Account No. 72116-00-609622

Assessed to: Ross D. Marshall & Nancy E. Kasper

Total Tax Difference: \$172.56 Total County Tax Difference: \$116.34

Refund: \$172.56

2010 Tax Roll
Account No. 72117-00-935817
Assessed to: Thomas Bayer & Katharine VanZile
Total Tax Difference: \$1284.35 Total County Tax Difference: \$865.92
Refund: \$1284.35

and be it further

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

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

RESOLUTION NO. 164-10: APPROVING APPLICATIONS FOR CORRECTED TAX ROLLS

Mr. Hammond presented the following:

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

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

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

TOWN OF ARCADIA

2010 Tax Roll
Account No. 68110-18-374095
Assessed to: Albert & Hilegarde Schnable
Total Tax Difference: \$125.32 Total County Tax Difference: \$125.32
Corrected Total Tax: \$869.25

2010 Tax Roll
Account No. 68110-06-428996
Assessed to: House of Praise, Inc
Total Tax Difference: \$704.97 Total County Tax Difference: \$0.00
Corrected Total Tax: \$0.00

2010 Tax Roll
Account No. 68111-14-401284
Assessed to: Dorothy Keesler
Total Tax Difference: \$173.34 Total County Tax Difference: \$140.61
Corrected Total Tax: \$201.39

TOWN OF MACEDON

2010 Tax Roll
Account No. 00000-00-903800
Assessed to: Fiber Technologies
Total Tax Difference: \$469.63 Total County Tax Difference: \$0.00
Corrected Total Tax: \$2798.03

TOWN OF SODUS

2010 Tax Roll
Account No. 69118-17-245224
Assessed to: Forrest Huff
Total Tax Difference: \$78.84 Total County Tax Difference: \$0.00
Corrected Total Tax: \$2.30

TOWN OF WOLCOTT

2010 Tax Roll

Account No.	77119-00-995195	
Assessed to:	Kathie Kirsch	
Total Tax Difference:	\$506.86	Total County Tax Difference: \$346.00
Corrected Total Tax:	\$436.33	

and be it further,

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

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

RESOLUTION NO. 165-10: ACCEPTANCE OF PHARMACEUTICAL AVERAGE WHOLESALE PRICE LITIGATION PROCEEDS

Mr. Hammond presented the following:

WHEREAS, Allegations of overcharging by various pharmaceutical companies resulted in a lawsuit joined by a number of New York State Counties of which Wayne is one; and

WHEREAS, Settlements from the pharmaceutical companies are received and apportioned as a percent of each counties' claims; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby accepts Wayne County's share of the settlement from Endo, in the amount of \$692.40, and the settlement amount from GSK in the amount of \$634.70; and be it further

RESOLVED, the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a settlement authority transmittal and any other settlement documents regarding Endo and GSK subject to the approval of the Wayne County Attorney.

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

RESOLUTION NO. 166-10: AUTHORIZATION TO AMEND THE COUNTY TREASURER'S BUDGET

Mr. Hammond presented the following:

WHEREAS, the cost of office chairs is more than anticipated; now, therefore, be it

RESOLVED, that the County Treasurer is authorized to make the following budget adjustments:

Reduce Appropriation Account A1325.54408 (Conference) by \$415.00 from \$1,500.00 to \$1,085.00

Increase Appropriation Account A1325.52200 (Office Equipment) by \$415.00 from \$1,530.00 to \$1,945.00.

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

RESOLUTION NO. 167-10: AUTHORIZATION TO SIGN AUDIT ENGAGEMENT LETTER

Mr. Hammond presented the following:

WHEREAS, the County is required to have audit services provided for various oversight and regulatory agencies of the State and Federal Government; and

WHEREAS, the County has engaged the services of Raymond F. Wager CPA and wishes to continue to have them provide these services; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign an engagement letter with Raymond F. Wager, CPA to provide these services for the fiscal year 2009 during the calendar year 2010, not to exceed \$90,000.

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

RESOLUTION NO. 168-10: AUDIT OF CLAIMS

Mr. Hammond presented the following:

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

RESOLVED, that the following Claims totaling \$3,696,395.36 are hereby approved for payment and the Treasurer is hereby authorized and directed to make payment of the same:

1. A Fund	\$	2,150,785.67
2. D Fund	\$	973,669.93
3. DM Fund	\$	112,058.12
4. E Fund	\$	309,817.79
5. H Fund	\$	98,088.90
6. MS Fund	\$	23,124.95
7. S Fund	\$	<u>28,850.00</u>
Warrant Total	\$	3,696,395.36

and be it further

RESOLVED, that the following utilities totaling \$138,107.03, processed pursuant to Resolution No. 176-78, are hereby ratified:

1. A Fund	\$	91,213.06
2. DM Fund	\$	6,904.98
3. E Fund	\$	32,410.16
4. H Fund	\$	<u>7,578.83</u>
Utility Total	\$	138,107.03

and be it further

RESOLVED, that miscellaneous disbursement checks were processed for the following County Departments, totaling \$238,371.54 are hereby ratified:

1. Nursing Home	\$	88,579.75
2. Sheriff-Misc.	\$	
3. Sheriff-Pistol Permits	\$	1,602.25
4. Social Services	\$	327.71
5. County Attorney	\$	12,720.00
6. WBHN	\$	44.48
7. Public Health	\$	554.00
8. Workers' Comp	\$	<u>134,543.35</u>
	\$	238,371.54

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

AD HOC – BUILDING RELOCATION COMMITTEE

RESOLUTION NO. 169-10: AUTHORIZATION TO AWARD INSPECTION SERVICES FOR THE STORM WATER POLLUTION PREVENTION PLAN

Mr. Spickerman presented the following:

WHEREAS, Wayne County has awarded a public works project for renovations to our former nursing home and It is required that the engineer develop a Storm Water Pollution Prevention Plan and submit it to the New York State Dept. of Environmental Conservation for a permit; and

WHEREAS, one of the requirements of said permit is that Wayne County hire an independent, certified testing agency to provide the required inspections and Wayne County had requested our construction manager Watchdog Building Partners to issue a Request for proposal for said pricing; and

WHEREAS, Watchdog Building Partners received two quotes from local certified agencies as follows:

STORMWATER SOLUTIONS, LLC	@ \$81.00 PER INSPECTION
SJB SERVICES, INC	@ \$85.00 PER INSPECTION

WHEREAS, It has been determined that approximately 44 site visits will be required during the duration of the project; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign an agreement, subject to approval by the County Attorney as to form and content with Stormwater Solutions, LLC at a unit cost of \$81.00 per inspection with an anticipated cost not to exceed \$ 3564.00, and that the fees for their services will be paid from the Project Account H19252.52825.

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

RESOLUTION NO. 170-10: AUTHORIZATION TO AWARD SPECIAL INSPECTION SERVICES FOR THE RENOVATIONS OF THE FORMER NURSING HOME FACILITY

Mr. Spickerman presented the following:

WHEREAS, Wayne County has awarded a public works project for renovations to our former nursing home; and

WHEREAS, It is required by the New York State Division of Codes that Wayne County Hire an independent certified testing agency to perform special inspections, on items such as Compaction, Concrete and Masonry, Geo Tech, Rebar and Steel; and

WHEREAS, Wayne County had requested our construction manager, Watchdog Building Partners to issue a Request for Proposals for pricing for the special inspection services; and

WHEREAS, Watchdog Building Partners received four quotes from local certified agencies summarized as follows:

FIRM	TIME	CONCRETE COMPACTION	MASONRY	GEOTECH	REBAR	STEEL
SJB	½ DAY	\$ 79.00	\$ 95.00	\$ 680.00	\$ 96.00	\$140.00
	FULL DAY	\$158.00	\$ 190.00		\$ 192.00	
CME	½ DAY	\$ 105.00	\$ 128.00		\$ 128.00	\$ 280.00
	FULL DAY	\$ 188.00	\$ 228.00		\$ 228.00	
FOUNDATION DESIGN	½ DAY			\$ 480.00		\$ 160.00
	FULL DAY			\$ 960.00		\$ 286.00
ATLANTIC TESTING	½ DAY	\$ 130.00	\$ 155.00	\$ 480.00		\$ 480.00
	FULL DAY	\$ 200.00	\$ 260.00			

and

WHEREAS, based on all pricing considerations, Watchdog Building Partners is recommending using SJB Services Inc., and

WHEREAS, The New York State Division of Codes is required to approve the firm chosen for these services, Watchdog Building Partners submitted the firm of SJB Services Inc. to the code enforcement officer in charge of this project; and

WHEREAS, approval has been given by the New York State Division of Codes for the use of SJB Services Inc.; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign an agreement, subject to approval by the County Attorney as to form and content with SJB Services Inc., at the unit pricing indicated above with an anticipated budget of \$ 15,000.00;

and be it further

RESOLVED, that the fees for their services will be paid from the Project Account H19252.52806.

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

RESOLUTION NO. 171-10: AUTHORIZATION TO AMEND CONTRACT WITH SWBR ARCHITECTS FOR DESIGN, DESIGN DEVELOPMENT, AND PRINTING COSTS

Mr. Spickerman presented the following:

WHEREAS, Wayne County entered into an agreement with SWBR Architects based upon a project scope, estimated project budget, and an anticipated schedule; and

WHEREAS, Wayne County expanded the scope of the project after the Design phase began; and

WHEREAS, SWBR Architects has submitted a request for additional compensation due to the changes in the Design Phase costs related to the Probation Department-related build-out and Site Improvements, East Wing Demolition, Asbestos Abatement Documentation, and Additional Bidding Alternates; and

WHEREAS, in addition to the increased scope for the projects SWBR Architects printed the bid documents for the project at a cost of \$17,614.09 for which SWBR needs to be reimbursed; and

WHEREAS, the Superintendent of Building and Grounds, the County Attorney and the County Administrator have reviewed the request with representatives of SWBR Architects; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an amendment to the Design phase contract with SWBR in the amount of \$102,323 to include the additional design, engineering and planning costs and that the Reimbursable Expense allowance is increased by \$10,000 in order to provide an adequate amount for specification printing costs.

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

RESOLUTION NO. 172-10: AUTHORIZATION TO EXECUTE AFFILIATION AGREEMENT WITH VILLA MARIA COLLEGE OF BUFFALO

Ms. Park presented the following:

WHEREAS, Villa Maria College of Buffalo has established an educational program for Physical Therapist Assistant; and

WHEREAS, Villa Maria College of Buffalo desires to establish a contractual alliance for the purpose of providing adequate clinical field work experience for said educational program with the Wayne County Nursing Home; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an agreement, on behalf of the Wayne County Nursing Home, with Villa Maria College of Buffalo for a period of March 8 to April 9, 2010.

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

RESOLUTION NO. 173-10: AUTHORIZATION TO CREATE NEW POSITION IN DEPARTMENT OF SOCIAL SERVICES AND AMEND DSS BUDGET

Mrs. Crane presented the following:

WHEREAS, both the DSS Intake and Undercare units are experiencing a significant increase in workload, and there has been no increase in staffing in either the Intake or Undercare unit in the past 10 years; and

WHEREAS, new applications, especially for Food Stamps, are resulting in longer than acceptable waiting periods and new applications have resulted in caseload growth beyond the ability of present staff to manage; and

WHEREAS, interim changes being instituted to shorten the waiting periods will be assessed for effectiveness to determine whether additional staff is needed to process applications and such remedies are not available for the ongoing cases and additional staffing is required; now, therefore, be it

RESOLVED, that a position of Social Welfare Examiner is hereby created to meet the increased caseload demands; and be it further

RESOLVED, that the 2010 DSS budget is hereby amended to reflect increases in expenses and revenues as shown below:

A6010 – SOCIAL SERVICES

\$31,343.00 to .51200 Social Welfare Examiner

\$ 3,134.00 to .58100 Payments to Retirement

\$ 2,398.00 to .58200 Payments to Social Security

\$10,680.00 to .58400 Hospitalization

\$ 156.00 to .58600 Disability

\$23,856.00 to .44610 Social Services Administration

A1990 – CONTINGENT FUND GEN:

\$23,855.00 from .540000 Contractual Expense

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

RESOLUTION NO. 174-10: AUTHORIZE APPLICATION TO GOOGLE'S FIBER FOR COMMUNITIES PROGRAM

Mr. Spickerman presented the following:

WHEREAS, Google plans to install and test ultra high speed broadband networks in trial communities across the country; and

WHEREAS, the new Google networks will deliver internet speeds more than 100 times faster than what most Americans currently have available to them; and

WHEREAS, Google is asking interested municipalities to provide them with information about their communities through a Request for Information ("RFI") submission process, which is due no later than March 26, 2010; and

WHEREAS, the Planning Department has reviewed the RFI and is prepared to provide the necessary information to Google to position Wayne County to compete for designation as a trial community for the installation and testing of ultra high speed internet; now, therefore, be it

RESOLVED, that the Planning Department is authorized to prepare and submit an RFI to Google on behalf of Wayne County for designation as a trial community for the testing of ultra high speed internet; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute and/or certify all documents in connection with this submission, subject to approval as to form and content by the County Attorney.

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

RESOLUTION NO. 175-10: AUTHORIZATION TO PAY INSURANCE PREMIUMS AND FEES TO HAYLOR, FREYER AND COON, INC.

Mr. Hammond presented the following:

WHEREAS, Wayne County has received annual premium amounts from Haylor, Freyer and Coon, Inc. for the following insurance premiums due for the County of Wayne for the period of March 1, 2010 – February 28, 2011:

1. Renewal for Commercial Umbrella Excess in the amount of \$ 21,399.40
2. Premium for Optional Commercial Umbrella Excess 10 million per occurrence, 20 million aggregate in the amount of \$ 8,778.00
3. Renewal for General Liability in the amount of \$ 21,358.70
4. Renewal for Commercial Inland Marine Package in the amount of \$ 2,891.90

5. Renewal for Commercial Property/Boiler Machinery in the amount of \$ 45,719.04
6. Renewal for Automobile Liability in the amount of \$ 14,566.10
7. Renewal for Public Officials in the amount of \$ 21,450.00
8. Renewal for Police Professional Liability in the amount of \$ 28,792.50
9. Renewal for Health Care in the amount of \$ 81,694.50
10. Consulting Fee in the amount of \$ 9,628.16

now, therefore, be it

RESOLVED, that the Clerk of the Board is hereby authorized to make payment for the above mentioned premiums to Haylor, Freyer & Coon, Inc. in the amount of \$246,649.44 from Account A1910.54300 upon adoption of this resolution; and be it further

RESOLVED, that the Clerk of the Board is hereby authorized to make payment for the consulting fee to Haylor, Freyer & Coon, Inc. in the amount of \$9,628.16 from Account A1910.54353 upon adoption of this resolution.

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

ADJOURNMENT:

The Chairman announced that the next meeting of the Board will be an evening session, scheduled for Tuesday, March 16, 2010 at 7:00 p.m.

Ms. Park moved, seconded by Mr. Colacino, that the board adjourn at 10:20 a.m. Carried.

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

REQUEST TO CALL SPECIAL MEETING

To the Clerk of the Board of Supervisors:

You are hereby directed to call a Special Meeting of the Board of Supervisors of Wayne County, New York, to be held in the First Floor Conference Room of the Court House in the Village of Lyons, New York, on Tuesday, March 16, 2010 at 9:00 a.m., for the following purposes:

- | | |
|---------|---|
| FIRST: | To discuss Collective Bargaining Negotiations. |
| SECOND: | To discuss options for possible Community Trade Adjustment Program Grant Application. |
| THIRD: | To hear, consider and act upon any other matter which may be brought to the Board in the same manner and to the same effect as if the Board were convened in regular session. |

Dated at Lyons, New York
March 5, 2010

James D. Hoffman, Chairman
Wayne County Board of Supervisors

NOTICE OF SPECIAL MEETING

State of New York
Wayne County

Office of the Clerk of the Board of Supervisors

Upon direction of the Chairman of the Board of Supervisors of the County of Wayne, I do hereby call a Special Meeting of the Board of Supervisors of Wayne County, New York, to be held in the First Floor Conference Room of the Court House in the Village of Lyons, New York, on Tuesday, March 16, 2010 at 9:00 a.m., for the following purposes:

- FIRST: To discuss Collective Bargaining Negotiations.
- SECOND: To discuss options for possible Community Trade Adjustment Program Grant Application.
- THIRD: To hear, consider and act upon any other matter which may be brought to the Board in the same manner and to the same effect as if the Board were convened in regular session.

Dated at Lyons, New York
March 5, 2010

Sandra J. Sloane, Clerk
Wayne County Board of Supervisors

5th Day
Tuesday, March 16, 2010
9:00 a.m.

The regular meeting of the Board of Supervisors was held in the First Floor Conference Room of the Court House, Chairman Hoffman presiding.

The Pledge of Allegiance was led by Supervisor Spickerman.

Upon roll call, all Supervisors were present, except Supervisor Kelsch, who was absent.

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

SCHEDULED BUSINESS:

Margaret Churchill addressed the Board and introduced Ms. Jodie Daniels, Business Service Representative for the Workforce Development Agency.

Mr. Kelsch arrived to the meeting at 9:06 a.m.

Ms. Churchill indicated that Wayne County has a strong application for submission under the Community Trade Adjustment Program for funding for the opportunities to retain and expand businesses and to attract green and renewable energy companies to Wayne County. Wayne County has been designated as a community eligible for assistance through the United States Economic Development Administration's (EDA) Community Trade Adjustment Program. This funding can provide up to 95% of an implementation budget to assist communities with comprehensive and flexible solutions to trade impacts. There was discussion regarding several projects that have been outlined and ear-marked as priorities for the Wayne County Community, including wind turbines; a bio-tech digester and geo thermal systems.

The Clerk distributed a resolution transmittal that was discussed at March's Economic Development and Planning Committee Meeting. No vote was taken in committee as it was

agreed that the transmittal would need to be considered by the full board.

The deadline for submitting this application is April 20, 2010 and the Board's permission is needed by resolution.

EXECUTIVE SESSION: Mrs. Collier moved, seconded by Mr. Lauderdale that the Board go into Executive Session to Collective Bargaining Negotiations pursuant to Article 14 of the Civil Service Law at 10:10 a.m. Upon roll call, carried.

REGULAR SESSION: Mr. LeRoy moved, seconded by Mr. Lauderdale, that the Board resume regular session at 10:58 a.m. Carried.

James Marquette addressed the Board to discuss the proposed construction of an attorney's lounge and a multi-purpose training room in the Wayne County Hall of Justice facility. Mr. Marquette introduced David Sloane, Superintendent of Buildings and Grounds, for an update on the proposed project.

Mr. Sloane noted that a building permit would be necessary for these modifications. He also added that he had been in contact with State employees as well as SWBR to draft the necessary plans to meet budget deadlines for this project. There was discussion as to future storage for the building being accommodated in the new record storage facility, located at the Route 31 complex.

ADJOURNMENT:

By motion of Mr. Kelsch, seconded by Mrs. Crane, the Board adjourned at 11:08 a.m. Carried.

The next meeting of the Board is scheduled for this evening, Tuesday, March 16, 2010 at 7:00 p.m.

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

6th Day
Tuesday, March 16, 2010
7:00 p.m.

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

The Pledge of Allegiance was led by Supervisor Spickerman, 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. Plant moved, seconded by Mr. Kelsch, to waive the reading of the minutes of the previous meeting and approve them as distributed. Upon roll call, carried.

COMMUNICATIONS:

The Clerk read the following:
A copy of the Sheriff's Cash Receipts Report for the month of February 2010 totaling \$14,768.88.

A letter from the NYS Department of Transportation regarding notification of the upcoming bridge replacement project of the Route 31 Bridge over Melvin Brook within the Town of Galen.

A letter of support from Mayor Victoria Daly and the Palmyra Village Board to urge the NYS Legislature to maintain and retain the Butler Minimum Correctional Facility in Butler.

Copies of adopted Resolutions from both the Seneca and Ontario County Board of Supervisors regarding appointments to the Finger Lakes Workforce Investment Board.

A letter from Karen Coleman, Director of the Division of Employment and Workforce Solutions of the New York State Department of Labor for notification of the review and revisions to the Local Plan Modification submitted by the Finger Lakes Workforce Investment Board.

A letter from John J. Howland, Member of the Monroe County Legislature requesting support from member counties of the Genesee Valley Regional Market Authority (GVRMA) to oppose Governor Paterson's proposal to dissolve the Authority.

A copy of a certified resolution from the Tioga County Legislature requesting support of Counties and State Legislators in relation to amending the lease period under terms it deems proper, as well as necessary amendments for production extensions.

A copy of the County Auditor's accounts payable report for March 2010 totaling \$4,219,937.84.

Mr. LeRoy moved, seconded by Mr. Kelsch, that Communications be received and filed. Upon roll call, carried.

BIDS AND REQUEST FOR PROPOSALS

Highway Construction and Maintenance Materials

Radio Communications Infrastructure Project

Mrs. Bender moved, seconded by Mrs. Collier, that the bids be referred to the appropriate committees for review. Upon roll call, carried.

ANNUAL REPORTS:

WC Mutual Aid

WC Stop DWI Program

WC Emergency Management Office

WC District Attorney

WC Public Defender

WC Department of Social Services

WC Department of Aging and Youth

WC Information Technology

WC Attorney

WC Real Property Tax

WC Department of Human Resources

WC Central Garage

WC Soil and Water Conservation Dist.

WC Highway Department

WC Planning Department

WC Tourism

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

PRIVILEGE OF THE FLOOR:

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

SCHEDULED BUSINESS:

Mrs. Mary Isselhard made a presentation to the Board regarding the many benefits the United Way Program brings to Wayne County and our surrounding communities.

CERTIFICATE OF APPRECIATION:

Mr. Hammond on behalf of the Board, joined by Laurie Crane, Brian Manktelow, Roger Arlis and Larry Demink, presented a Certificate of Appreciation to Mr. Randy Croniser and wife Jane, member of the Wayne County Farm Service Agency, for his

dedicated service to the citizens of Wayne County during his 30 years of service.

Mrs. Bender read the following resolution, on behalf of the Town of Marion and the Board:

RESOLUTION NO. 176-10: IN MEMORIAM – ROBERT HALE

Mrs. Bender presented the following:

WHEREAS, Robert Hale served Wayne County as Supervisor for the Town of Marion from January 1, 1984 – September 30, 1984. Throughout his service, he diligently served the Citizens of Wayne County with loyalty and dedication. His death is a great loss to his family and the community;

NOW, THEREFORE, in memory of his service to the people of Wayne County; be it RESOLVED, that the Board of Supervisors of the County of Wayne hereby expresses its great regret in the passing of Robert Hale and extends its deepest sympathy to his family; and be it further

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

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

Sharon Lilla, Wayne County Planning Director, gave a brief presentation on the importance of 2010 Census participation and how this can be beneficial to our community.

RESOLUTION NO. 177-10: AMEND RESOLUTION NO. 320-09 FOR THE WAYNE COUNTY PASSWORD POLICY

Mr. Hammond presented the following:

WHEREAS, the IT department is utilizing Script Logic Password Self-Service to administer the Password Policy requirements; and

WHEREAS, the software does not allow for the combination of 3 out of 4 characters; and

WHEREAS, the software will only allow a maximum of 5 valid attempts rather than the 6 previously stated; 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 the following
 - a. Alpha uppercase characters (A through Z)
 - b. Alpha lowercase characters (a through z)
 - c. Digits (0 through 9)
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 5 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 requesting that the password be reset with the employee's name and phone# where they can be reached.

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

RESOLUTION NO. 178-10: AUTHORIZATION FOR THE SALE OF COUNTY PROPERTY TO ROBERT & NANCY MILLER AND AUTHORIZATION TO RESCIND RESOLUTION No. 15-10

Mr. Hammond presented the following:

WHEREAS, the County of Wayne owns a parcel of land on East Port Bay, in the Town of Wolcott; and it has been determined that a portion of said parcel of land is surplus land; and

WHEREAS, Robert & Nancy Miller own a parcel of land on East Port Bay Road, in the Town of Wolcott, Tax Account #75120-19-518193, which encroaches on said land owned by the County of Wayne; and the Miller's have recently purchased the land from William Dixon; and

WHEREAS, the County of Wayne had previously enacted a resolution #15-10 authorizing the sale of a portion of said County parcel of land to William Dixon; and William Dixon has indicated that he no longer wishes to purchase said County property; and

WHEREAS, Robert & Nancy Miller are desirous of purchasing a portion of said County property consisting of .018 acres from the County of Wayne for the sum of Eighteen and 00/100 dollars (\$18.00), together with the cost of the survey and all other closing costs; now, therefore, be it

RESOLVED, that the sale of a .018 acre parcel of property owned by the County of Wayne to Robert & Nancy Miller is hereby authorized and be it further that the terms of the sale are as follows:

1. Robert & Nancy Miller will pay the County of Wayne Eighteen and 00/100 dollars (\$18.00) for the purchase of said land owned by the County of Wayne.
2. Robert & Nancy Miller will pay for the survey and all closing costs.
3. Robert & Nancy Miller will execute a contract of sale with the County of Wayne.
4. The County of Wayne will provide Robert & Nancy Miller with a quit-claim deed.

and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute any documents necessary to complete the sale of said property to Robert & Nancy Miller on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content; and that Resolution No. 15-10 is hereby rescinded in its entirety.

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

RESOLUTION NO. 179-10: AUTHORIZATION TO AMEND 2010 COUNTY BUDGET UNDISTRIBUTED METER POSTAGE ACCOUNT

Mr. Hammond presented the following:

WHEREAS, the 2010 County Budget eliminated the funding for this account as it was planned that individual budget accounts would be directly charged and the County has continued to use the chargeback method for 2010 instead of the direct charge method; and

WHEREAS, the County Auditor is planning on using the chargeback method to charge postage for contracts instead of a direct method; now, therefore, be it

RESOLVED, that the County Treasurer amend to 2010 County Budget as follows:

A1670-UNDISTRIBUTED METER POSTAGE:

\$60,000.00 to .41274 Postage Reimbursement Fees

\$60,000.00 to .54000 Contractual Expense

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

RESOLUTION NO. 180-10: AMEND 2010 COUNTY BUDGET TO REFLECT ADOPTED ELECTED OFFICIALS, COUNTY OFFICERS, DEPARTMENT HEADS, COUNTY MANAGERIAL AND COUNTY MANAGERIAL SUPPORT STAFF NOT SUBJECT TO COLLECTIVE BARGAINING AGREEMENTS

Mr. Hammond presented the following:

WHEREAS, Elected Officials, County Officers, Department Heads, County Managerial and County Managerial Support Staff not subject to collective bargaining agreements 2010 salaries were adopted after the 2010 County Budget was adopted; and provision for said salaries were made in the 2010 County Budget but not provided for in the individual budgets and line items; and

WHEREAS, the County is desirous of amending the 2010 County Budget to accurately reflect anticipated expenditures; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to amend the 2010 County Budget as follows:

A1010-LEGISLATIVE BOARD:

\$958.00 to .51016 Secretary to Chairman
\$114.00 to .58100 Payments to NYS Retirement
\$ 73.00 to .58200 Payments to Social Security

A1040-CLERK LEGISLATIVE BOARD:

\$1,014.00 to .51018 Clerk of Board
\$ 121.00 to .58100 Payments to NYS Retirement
\$ 78.00 to .58200 Payments to Social Security

A1165-DISTRICT ATTORNEY:

\$ 8,366.00 to .51022 District Attorney
\$10,240.00 from .51024 Assistant District Attorney (PT)
\$ 3,330.00 to .51025 Assistant District Attorney (FT)
\$ 1,144.00 to .51026 Assistant District Attorney 2nd
\$ 1,407.00 to .51027 Assistant District Attorney 2nd (FT)
\$ 686.00 to .51028 Assistant District Attorney 3rd
\$ 741.00 to .51030 Assistant District Attorney 4th
\$ 741.00 to .51031 Assistant District Attorney 6th
\$ 741.00 to .51032 Assistant District Attorney 5th
\$ 5,341.00 from .51033 Secretary to District Attorney
\$ 187.00 to .58100 Payments to NYS Retirement
\$ 120.00 to .58200 Payments to Social Security

A1167-CRIMES VICTIMS BOARD GRANTS:

\$ 889.00 to .51480 Victim/Witness Coordinator
\$1,063.00 from .54600 Misc
\$ 106.00 to .58100 Payments to NYS Retirement
\$ 68.00 to .58200 Payments to Social Security

A1170-PUBLIC DEFENDER:

\$1,059.00 to .51040 Public Defender
\$ 967.00 to .51042 Assistant Public Defender
\$1,752.00 to .51043 Assistant Public Defender (FT)
\$1,075.00 to .51044 Assistant Public Defender 2nd
\$1,464.00 to .51045 Assistant Public Defender 2nd
\$ 741.00 to .51051 Assistant Public Defender 6th
\$ 741.00 to .51053 Assistant Public Defender 7th
\$1,200.00 to .58100 Payments to NYS Retirement
\$ 774.00 to .58200 Payments to Social Security

A1170-PUBLIC DEFENDER

\$ 720.00 to .51046 Assistant Public Defender 3rd
\$ 824.00 to .51047 Secretary to Public Defender
\$ 741.00 to .51048 Assistant Public Defender 4th

A1185-CORONER:

\$1,118.00 to .51049 Coroner
\$ 133.00 to .58100 Payments to NYS Retirement
\$ 86.00 to .58200 Payments to Social Security

A1230-COUNTY ADMINISTRATION:

\$ 773.00 to .51023 Secretary-Co Administrator
\$2,266.00 to .51326 Fiscal Manager
\$2,833.00 to .51516 County Administrator
\$ 699.00 to .58100 Payments to NYS Retirement
\$ 449.00 to .58200 Payments to Social Security
A1320-COUNTY AUDITOR:
\$10,000.00 to .51071 Manager of Audit
\$ 95.00 from .51122 Account Clerk (7hr)
\$ 1,179.00 to .58100 Payments to NYS Retirement
\$ 758.00 to .58200 Payments to Social Security

A1325-TREASURER:

\$1,715.00 to .51050 Treasurer
\$1,339.00 to .51052 Deputy Treasurer
\$ 650.00 from .51055 Secretary to Treasurer
\$1,013.00 to .51057 Deputy County Treasurer 2nd
\$ 407.00 to .58100 Payments to NYS Retirement
\$ 261.00 to .58200 Payments to Social Security

A1355-ASSESSMENT-REAL PROPERTY TAX:

\$1,545.00 to .51054 Director Real Property
\$ 184.00 to .58100 Payments to NYS Retirement
\$ 118.00 to .58200 Payments to Social Security

A1410-COUNTY CLERK:

\$2,108.00 to .51058 County Clerk
\$ 884.00 to .51059 Deputy County Clerk 2nd
\$1,065.00 to .51060 Deputy County Clerk
\$ 483.00 to .58100 Payments to NYS Retirement
\$ 310.00 to .58200 Payments to Social Security

A1420-COUNTY ATTORNEY:

\$1,450.00 to .51061 Secretary to County Attorney
\$2,254.00 to .51062 County Attorney
\$1,746.00 to .51083 Assistant County Attorney
\$ 649.00 to .58100 Payments to NYS Retirement
\$ 417.00 to .58200 Payments to Social Security

A1430-HUMAN RESOURCES:

\$1,175.00 to .51064 Personnel Assistant
\$ 761.00 to .51065 Senior Personnel Clerk
\$2,000.00 to .51067 Human Resources Director
\$ 114.00 from .51069 Personnel Clerk Part Time
\$ 455.00 to .58100 Payments to NYS Retirement

\$ 292.00 to .58200 Payments to Social Security

A1450-BOARD OF ELECTIONS:

\$ 540.00 to .5166 Election Commissioners
\$1,982.00 to .51068 Deputy Election Commissioners
\$1,416.00 to .51128 Election Clerk
\$ 440.00 to .58100 Payments to NYS Retirement
\$ 301.00 to .58200 Payments to Social Security

A1615-BUILDINGS & GROUNDS:

\$1,704.00 to .51070 Superintendent Buildings & Grounds
\$1,288.00 to .51072 Assistant B & G Superintendent
\$ 866.00 to .51699 Personnel Clerk
\$ 459.00 to .58100 Payments to NYS Retirement
\$ 295.00 to .58200 Payments to Social Security

A1680-INFORMATION TECHNOLOGY:

\$1,931.00 to .51074 Director of Information Technology
\$ 230.00 to .58100 Payments to NYS Retirement
\$ 148.00 to .58200 Payments to Social Security

A1990-CONTINGENT GEN FUND:

\$103,284.00 from .54000 Contractual Expenses

A3110-SHERIFF:

\$ 3,729.00 to .51077 Undersheriff
\$67,479.00 from .51078 Chief Deputy
\$ 9,363.00 from .51081 Stenographer Secretary
\$75,028.00 to .51577 Corrections Major
\$ 364.00 to .58100 Payments to NYS Retirement
\$ 147.00 to .58200 Payments to Social Security

A3117-ANIMAL ABUSE INVESTIGATIONS:

\$800.00 to .51534 Animal Abuse Officer
\$ 61.00 to .58200 Payments to Social Security

A3140-PROBATION:

\$1,814.00 to .51082 Director of Probation
\$ 216.00 to .58100 Payments to NYS Retirement
\$ 139.00 to .58200 Payments to Social Security
\$ 347.00 to .43310 Probation Services (REVENUE)

A3315-STOP DWI:

\$616.00 to .51017 Secy-Chairman/DWI
\$517.00 to .51021 Coordinator Stop DWI
\$ 73.00 to .58100 Payments to NYS Retirement
\$ 87.00 to .58200 Payments to Social Security

A3410-MUTUAL AID (FIRE COORDINATOR)

\$679.00 to .51084 Fire Coordinator
\$ 80.00 to .58100 Payments to NYS Retirement
\$ 52.00 to .58200 Payments to Social Security

A3640-EMERGENCY MANAGEMENT OFFICE:

\$1,286.00 to .51085 Director ODP
\$ 153.00 to .58100 Payments to NYS Retirement
\$ 98.00 to .58200 Payments to Social Security

A3642-E911 COMMUNICATIONS:

\$1,288.00 to .51378 911 Technology Coordinator
\$1,591.00 to .51514 E911 Coordinator
\$ 342.00 to .58100 Payments to NYS Retirement
\$ 220.00 to .58200 Payments to Social Security

A4010-PUBLIC HEALTH:

\$1,750.00 to .51477 Director of Public Health
\$1,813.00 to .51513 Administrative Assistant
\$ 424.00 to .58100 Payments to NYS Retirement
\$ 272.00 to .58200 Payments to Social Security
\$1,425.00 to .43401 Public Health (REVENUE)

A4020-PH EMS COORDINATOR:

\$487.00 to .51484 EMS Coordinator (PT)
\$ 58.00 to .58100 Payments to NYS Retirement
\$ 37.00 to .58200 Payments to Social Security
\$170.00 to .43401 Public Health (REVENUE)

A4300-BEHAVIORAL HEALTH:

\$ 2,088.00 to .51086 M8200 Director of Mental Health
\$ 1,396.00 to .51396 M1120 Psychologist Supervisor
\$ 3,838.00 to .51405 M2120 Program Supervisor
\$ 100.00 from .51496 M2120 Staff Psychiatrist
\$ 1,800.00 to .51518 M2120 Psychiatric Nurse Practitioner
\$ 1,376.00 to .51692 M8200 Deputy Director
\$ 1,237.00 to .58100 M1120 Payments to NYS Retirement
\$ 795.00 to .58200 M1120 Payments to Social Security
\$12,430.00 to .444469 M2100 MH Salary Sharing (REVENUE)

A6010-ADMINISTRATION:

\$ 893.00 to .51081 Stenographer Secretary
\$2,088.00 to .51087 Commissioner Social Services
\$1,327.00 to .51331 Head Social Welfare Examiner
\$1,122.00 to .51380 Information Tech Coordinator
\$2,095.00 to .51381 Social Services Attorney
\$1,541.00 to .51382 Director Administrative Services
\$1,265.00 to .51384 Staff Development Coordinator
\$1,709.00 to .51387 Director of Social Services
\$2,732.00 to .51492 Assistant DSS Attorney
\$1,758.00 to .58100 Payments to NYS Retirement
\$1,130.00 to .58200 Payments to Social Services
\$4,415.00 to .53610 Social Services Administration (REVENUE)
\$8,830.00 to .54610 Social Services Administration (REVENUE)

A6410-PUBLICITY:

\$1,279.00 to .51416 Director Tourism & Promotion
\$ 152.00 to .58100 Payments to NYS Retirement
\$ 98.00 to .58200 Payments to Social Security

A6510-VETERAN SERVICES:

\$569.00 to .51069 Personnel Clerk (PT)
\$428.00 to .51089 Director Veteran Services
\$118.00 to .58100 Payments to NYS Retirement
\$ 76.00 to .58200 Payments to Social Security

A6610-CONSUMER AFFAIRS (W&M):

\$1,182.00 to .51090 Director Weights & Measurers
\$ 140.00 to .58100 Payments to NYS Retirement
\$ 90.00 to .58200 Payments to Social Security

A6772-AREA AGENCY ON AGING:

\$1,461.00 to .51092 Director Office of Aging
\$1,081.00 to .51297 Deputy Director of Aging
\$ 302.00 to .58100 Payments to NYS Retirement

A6772-AREA AGENCY ON AGING:

\$ 194.00 to .58200 Payments to Social Services
\$2,279.00 to .44772 Programs for the Aging (REVENUE)

A7310-YOUTH BUREAU:

\$1,081.00 to .51540 Deputy Director for Youth
\$ 129.00 to .58100 Payments to NYS Retirement
\$ 83.00 to .58200 Payments to Social Security
\$ 649.00 to .43836 Youth Bureau/YDDP (REVENUE)

A7510-COUNTY HISTORIAN:

\$757.00 to .51075 County Historian

\$ 90.00 to .58100 Payments to NYS Retirement
\$ 58.00 to .58200 Payments to Social Security

A8020-PLANNING BOARD:

\$1,568.00 to .51099 Director of Planning
\$1,218.00 to .51532 Agricultural Develop Specialist
\$ 332.00 to .58100 Payments to NYS Retirement
\$ 213.00 to .58200 Payments to Social Security

A9901-INTERFUND TRANSFERS:

\$ 3,469.00 to .59300 Transfer-County Road

D5010-HIGHWAY ADMINISTRATION:

\$1,857.00 to .51095 Superintendent of Highways
\$ 220.00 to .58100 Payments to NYS Retirement
\$ 142.00 to .58200 Payments to Social Security

D5020-HIGHWAY ENGINEERING:

\$1,134.00 to .51254 Jr. Engineer
\$1,500.00 to .51920 Assistant Engineering
\$ 313.00 to .58100 Payments to NYS Retirement
\$ 201.00 to .58200 Payments to Social Security

D5110-MAINTENANCE OF ROADS & BRIDGES:

\$1,587.00 from .51097 General Highway Foreman
\$ 189.00 from .58100 Payments to NYS Retirement
\$ 122.00 from .58200 Payments to Social security

D9999-OTHER:

\$3,469.00 to .45031 Interfund Transfers (REVENUE)

E6000-NH COMBINED:

\$ 1,838.00 to .51101 E8350 Nursing Home
Administrator
\$ 901.00 to .51113 E6010 Director of Nursing
\$ 1,034.00 to .51141 E7200 Housekeeper
\$ 1,458.00 to .51150 E6010 Assistant Director of
Nursing
\$ 1,319.00 to .51155 E6010 Coordinator of Nursing
Training
\$ 1,400.00 to .51182 E8310 Comptroller (NH)
\$ 834.00 to .51600 E8350 Administrative Secretary
\$ 1,045.00 to .58100 E8460 Payments to NYS
Retirement
\$ 672.00 to .58200 E6010 Payments to Social
Security
\$10,501.00 to .43002 E3020 Medicaid (REVENUE)

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

RESOLUTION NO. 181-10: AUTHORIZATION TO CONTRACT WITH AUCTIONEER SERVICES

Mr. Hammond presented the following:

WHEREAS, the Real Property Tax Department will be conducting a Tax Foreclosure Auction of 2008 delinquent properties to be held on June 16, 2010; and the Real Property Tax Service Department of Wayne County is desirous of having auction services performed by a professional auctioneer: and

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

David Koeberle	Reynolds Auction Co.	\$ 600.00
Dean Cummins	Dean Cummins – Auctioneer	\$1,200.00
Russ Scherrer	Auctions International, Inc.	\$1,900.00

(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 to occur on the Tax Foreclosure Auction date of June 16, 2010 with David Koeberle of Reynolds Auction Company in the amount of \$600.00 (Six Hundred Dollars).

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

RESOLUTION NO. 182-10: AUTHORIZATION TO SHARE DEFENSE COSTS FOR REAL PROPERTY TAX ASSESSMENT REVIEW PROCEEDINGS (ARTICLE 7 LITIGATION)

Mr. Hammond presented the following:

WHEREAS, proceedings to review real property tax assessments are annually commenced against assessing units, namely the Towns of Wayne County; and County taxes are based upon assessments established by the assessing units; and

WHEREAS, the County tax levy is, therefore, affected by any court ordered or stipulated reduction in assessed valuation; and this Board approved Resolution No. 444-95, amended by Resolution No. 700-06 and subsequently Resolution No. 688-07 which established minimum standards for County participation in litigation involving challenges to real property assessments; and

WHEREAS, a number of requests from certain Towns have been received by the Real Property Tax Services Director and reviewed and recommended by the Director and the County Attorney, now therefore, be it

RESOLVED, that the County of Wayne will participate in providing financial assistance for litigation challenges of real property tax assessments per the provisions of Resolution No. 688-07 for the following Town's and their respective petitions:

<u>TOWN</u>	<u>Property Owner</u>	<u>Parcel ID#</u>	<u>Index #(s)</u>
Sodus	Sodus Properties	69119-00-296244	57596, 59869, 62545, 68749,
65830		69119-00-265498	
Sodus	Suburban Propane	69117-00-921696	68714
Sodus	Sodus MH Park	70117-00-148600	65871, 68716
Sodus	Bran Real Estate	68118-20-992084	65858, 68621
		9118-17-014087	
		69117-05-087938	

TOWN	Property Owner	Parcel ID#	Index #(s)
Sodus	Sodus Marina	71119-17-153055	65869, 68699
		71119-00-189034	
Sodus	Sodus Holdings	71119-17-030027	65869, 68700
		71119-17-189034	
		71119-17-106040	
		71119-17-133012	
		71119-17-138033	
Sodus	VIA Health	69118-00-132655	57538, 59859, 62543, 65827, 68748

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

RESOLUTION NO. 183-10: TAX REFUND – ERROR ON TAX ROLL

Mr. Hammond presented the following:

WHEREAS, applications for refund of real property tax claimed to be attributable to an error on the tax roll has duly been filed with the Director of Real Property Tax Services (“Director”) for the properties listed below, pursuant to the provisions of Article Five, Title 3 of the Real Property Tax Law; and the Director investigated the circumstances of the claimed errors and has submitted a report recommending the applications be approved; now, therefore, be it

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

TOWN OF ARCADIA

2010 Tax Roll

Account No. 68110-10-307525
 Assessed to: Orlando & Beverly Gullo
 Total Tax Difference: \$279.20 Total County Tax Difference: \$220.37
 Refund: \$279.20

TOWN OF HURON

2010 Tax Roll

Account No. 72117-00-970738
 Assessed to: Richard & Dorthea Zamanian
 Total Tax Difference: \$786.34 Total County Tax Difference: \$530.16
 Refund: \$786.34

and be it further

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

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

RESOLUTION NO. 184-10: APPROVING APPLICATIONS FOR CORRECTED TAX ROLLS

Mr. Hammond presented the following:

WHEREAS, applications for correction of tax rolls in relation to parcels of property identified below have been filed with the Director of Real Property Tax Services; and the Director investigated the circumstances of the claimed errors on the tax rolls and recommends that the applications be approved; now, therefore, be it

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

authorized to make the following corrections:

TOWN OF MACEDON

2010 Tax Roll

Account No. 61111-00-286854

Assessed to: Town of Macedon

Total Tax Difference: \$2,398.31 Total County Tax Difference: \$1603.38

Corrected Total Tax: \$0.00

and be it further,

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

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

RESOLUTION NO. 185-10: AUTHORIZING PAYMENT OF LITIGATION COST AND TRANSFER FUNDS

Mr. Hammond presented the following:

WHEREAS, Resolution No. 936-09, was adopted to transfer funds for 2009 litigation costs incurred by the Town of Arcadia, however payment was not made and the funds were not encumbered; and

WHEREAS, it has been determined that litigation costs will need to be expended from the Judgments & Claims Budget Account No. A19304.54000; and

WHEREAS, Resolution No. 688-07 approved contributions to legal fees incurred by certain Wayne County Municipalities in defense of Real Property Tax Assessment Review Proceedings; now, therefore, be it

RESOLVED, that the following 2009 payment utilizing 2010 funds is authorized:

Town of Arcadia:

West Union Street Associates (Wendy's Restaurant) \$1,062.96

Wal-Mart Stores \$ 110.00

and be it further,

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

\$1,172.96 to Account No. A19304.54000 (Judgments & Claims) from Account No. A1990.4000 (Contingent Fund General-Contractual Expense).

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

RESOLUTION NO. 186-10: AUTHORIZATION TO PAY HAYLOR FREYER AND COON FOR EXCESS/UMBRELLA HEALTH CARE INSURANCE

Mr. Hammond presented the following:

WHEREAS, Wayne County is desirous of purchasing additional excess/umbrella health care insurance; and Wayne County has received an annual quote for said insurance from Haylor, Freyer and Coon, Inc. for the period of April 1, 2010 – May 31, 2011, as follows:

11. Premium for Excess/Umbrella Health Care in the amount of \$77,850.00

now, therefore, be it

RESOLVED, that the Clerk of the Board is hereby authorized to make payment for the above mentioned premium to Haylor, Freyer & Coon, Inc. in the amount of \$77,850.00 for the period April 1, 2010 – May 31, 2011 from Account A1910.54300 upon adoption of this resolution; and further

RESOLVED, that the County Treasurer is hereby directed to amend the 2010 County Budget as follows:

A1910-UNALLOCATED INSURANCE:

\$45,523.00 to .41295 Dept. Insurance Reimbursement

\$45,523.00 to .54300 Insurance

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

RESOLUTION NO. 187-10: AUTHORIZATION TO ACCEPT BID WITH MODIFICATION, EXECUTE CONTRACT, AND APPROPRIATE PROJECT ACCOUNT FUNDING FOR THE RADIO COMMUNICATIONS INFRASTRUCTURE PROJECT

Mr. Plant presented the following:

WHEREAS, the Clerk of the Board of Supervisors duly advertised for bids for the Communications Infrastructure Project; and the project includes the procurement and installation of transmitters, the development of a two channel, three site simulcast system, and the development of five remote receivers; and

WHEREAS, the following bids were received and reviewed by the 911 Coordinator and the Public Safety Committee:

Finger Lakes Communication Co., Inc.	\$870,644.56 (base bid) or \$880,165.00 (alternate)
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305 Clark St.
Auburn, NY 13021

and

WHEREAS, certain equipment substitutions and modifications have been identified, allowing for a reduction in the bid price of \$25,300.00, while accomplishing all goals of the project, with such price modification applicable to either the base bid or the alternate bid; now, therefore, be it

RESOLVED, that the County of Wayne hereby accepts the base bid submitted by Finger Lakes Communications, with the aforementioned modification, resulting in a revised amount of \$845,344.56; and be it further

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute an agreement between the County of Wayne and Finger Lakes Communication Co., Inc relative to the aforementioned bid, with such agreement subject to the approval of the County Attorney as to form and content; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to transfer \$387,222.56 from A878 Undesignated Capital Reserve as follows:

A9950 – TRANSFER TO CAPITAL FUND PROJECT

\$387,222.56 TO .51934 Radio Interoperability Project

H1934 – RADIO INTEROPERABILITY PROJECT

\$387,222.56 TO .45031 – Interfund Transfer

\$387,222.56 TO .52000 COCST – Equipment and Other Cap

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

RESOLUTION NO. 188-10: AUTHORIZATION TO TRANSFER FUNDS AND AMEND BUDGET FOR STATE HOMELAND SECURITY GRANT PROGRAM

Mr. Plant presented the following:

WHEREAS, Resolution 338-09 authorized the application of the FY08 State Homeland Security Grant Program (SHSGP) and Resolution 624-07 authorized the application of the FY07 SHSGP; and there are unexpended funds of \$27,848 in the 2007 State Homeland Security Grant Program (SHSGP) and unexpended funds of \$113,500 in the 2008 SHSGP; and

WHEREAS, the SHSGP is a three year grant program with no local match required; and any unused funds must be returned to the state; and

WHEREAS, these funds are required to be used to assist local government to sustain and enhance all-hazards emergency management capabilities; and

WHEREAS, Emergency Management has planned for the expenditure of these funds to purchase equipment for the benefit of Emergency Management, the Fire Coordinator's Office, the EMS Coordinator's Office, the Sheriff's Office, and E911; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized and directed to make the following amendment to the 2010 Emergency Management budget:

A3640-EMERGENCY MANAGEMENT OFFICE:

\$141,348 to .44306 Homeland Security (SHSGP)

\$136,348 to .52203 Homeland Security - Equipment

\$5,000 to .54520 Consultants

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

RESOLUTION NO. 189-10: AUTHORIZATION TO TRANSFER FUNDS AND AMEND BUDGET FOR EMERGENCY MANAGEMENT DEPARTMENT

Mr. Plant presented the following:

WHEREAS, NYS increased the nuclear license fee charged to Constellation Energy midyear 2009; and this fee increased A36400.43306 revenues midyear from \$204,600 to \$372,000; and there are unexpended funds of \$143,534 remaining from this revenue increase; and NYS Executive Law Article 2-B § 29-c. Radiological Preparedness requires these funds be used specifically for Radiological Emergency Preparedness; and

WHEREAS, any unused funds must be returned to the state; and these funds are required to be used to assist local government to sustain and enhance all-hazards emergency management capabilities; and Emergency Management has planned for the expenditure of these funds to purchase equipment for the new Emergency Operations Center for the benefit of Emergency Management, the Fire Coordinator's Office, the EMS Coordinator's Office, the Sheriff's Office, and E911; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized and directed to make the following amendment to the 2010 Emergency Management budget:

A3640-EMERGENCY MANAGEMENT OFFICE:

\$143,534 to .43306 Nuclear Facility Support

\$143,534 to .52200 Office Equipment

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

RESOLUTION NO. 190-10: RESOLUTION TO ADOPT WAYNE COUNTY FIRE SERVICE MUTUAL AID PLAN

Mr. Plant presented the following:

WHEREAS, the "Wayne County Fire Service Mutual Aid Plan" was originally adopted in 1961; and the Wayne County Fire Coordinator, after soliciting comments and recommendations from the fire service, has drafted a new Mutual Aid Plan; and the Plan has been reviewed, edited and approved by the Wayne County Fire Advisory Board, the NYS Office of Fire Prevention and Control, the Wayne County Attorney and the Wayne County Public Safety Committee; now, therefore, be it

RESOLVED, that The Wayne County Board of Supervisors hereby approves and adopts said revised Fire Service Mutual Aid Plan effective July 1, 2010.

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

RESOLUTION NO. 191-10: AUTHORIZATION FOR CHAIRMAN TO SIGN MEMORANDUM OF UNDERSTANDING WITH THE UNITED STATES SECRET SERVICE

Mr. Plant presented the following:

WHEREAS, the Probation Department has an opportunity to send a member to an Enhanced Computer Forensic Training Program in Alabama, which would allow this Officer

to perform thorough computer activity searches; and there is no cost to the County other than the normal wages and fringes paid to the employee; and

WHEREAS, the employee would only aid the Secret Service when it does not interfere with his duties and obligations with the Probation Department; and the Secret Service requires a Memorandum of Understanding so that they can reimburse the County for any over-time cost and other expenses incurred as a result of the Probation Officer performing task for the Secret Service; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign said Memorandum of Understanding after the review and approval to the form and content of the County Attorney.

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

RESOLUTION NO. 192-10: AUTHORIZATION TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE WAYNE COUNTY NARCOTICS ENFORCEMENT TEAM (WAYNET)

Mr. Plant presented the following:

WHEREAS, the Wayne County Narcotics Enforcement Team (hereinafter referred to as "WayneNET") is an organization comprised of Wayne County law enforcement agencies, whose goal is to achieve maximum coordination and cooperation, and to bring to bear the combined resources of the member agencies to primarily and aggressively investigate narcotic-related offenses, illegal weapons offenses, and gang-related offenses in the Wayne County area, utilizing both State and Federal Statutes, and WayneNET has provided efficient and effective narcotics enforcement related services to the citizens of Wayne County, and

WHEREAS, the Wayne County Sheriff's Office has not previously been a member of WayneNET, and enhanced narcotics enforcement in Wayne County would be achieved by the Wayne County Sheriff's Office being a member of, and acting in conjunction with WayneNET, and

WHEREAS, the Wayne County Sheriff has aggressively worked with representatives of WayneNET to formulate an agreement to bring the Wayne County Sheriff's Office into membership with WayneNET; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to sign a Memorandum of Understanding with WayneNET for the Wayne County Sheriff's Office to become a member agency, upon review and approval of the County Attorney.

Mr. Hammond addressed the Board to thank Sheriff Virts for his efforts in working with representatives of WayneNET for this agreement.

Mr. Hammond added that the Town of Macedon Police Chief, Sgt. John Collela, was unable to be here today but wanted to relay, on his behalf, that he is very supportive of WayneNet organization.

Mr. Kelsch 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. 193-10: AUTHORIZATION TO SIGN A BOAT SPACE RENTAL AGREEMENT WITH KRENZER MARINE SODUS POINT

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office has as part of its marine assets a 27 foot Boston Whaler vessel; and the Boston Whaler had been originally docked at the US Guard Station, but It was quickly discovered that due to channel surge, the Coast Guard dock was not a safe place to dock the vessel long-term. The vessel, while not in use, was moved to Krenzer Marine, and was docked for an annual fee of \$850.00; and

WHEREAS, Krenzer Marine was chosen as the spot to dock the vessel because of its

proximity to the Sodus Bay for quick response to calls; the availability of appropriate dock space; the County's account with Krenzlers for maintenance and fuel for the marine vessels; and their providing inside winter storage for the vessels; and

WHEREAS, Krenzer Marine is under new ownership, and the new owners, Stephen and Timothy Habecker, wish to donate a slip to the Wayne County for the 2010 boating season; now, therefore, be it

RESOLVED, that the Wayne County Sheriff is hereby authorized to sign a Boat Space Rental Agreement with Krenzer Marine for the 2010 boating season, for a wet mooring slip, at no charge to the County, upon review and approval of the County Attorney.

Ms. Park wanted to thank Krenzer Marine for donating this mooring slip for the Wayne County Sheriff's Marine Patrol for the 2010 boating season.

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

RESOLUTION NO. 194-10: AUTHORIZATION TO SIGN A CONTRACT WITH THE MONROE COUNTY PUBLIC SAFETY LABORATORY

Mr. Plant presented the following:

WHEREAS, the County of Monroe Public Safety Laboratory operates a regional Crime Laboratory (hereinafter referred to as "Laboratory") that provides forensic laboratory services to the Wayne County Sheriff's Office and the local police departments in the County of Wayne; and

WHEREAS, the County of Wayne has utilized the services of the "Laboratory" for several years and has entered into a contract with the "Laboratory" each year that such services have been provided; and the contract with the "Laboratory" for January 1, 2010 through December 31, 2010 is due to be signed by the County of Wayne; and

WHEREAS, the cost of the contract for services from the "Laboratory" for the year 2010 is \$68,675; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign a Contract with the County of Monroe Public Safety Laboratory for the year 2010, upon review and approval of the County Attorney.

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

RESOLUTION NO. 195-10: AUTHORIZATION TO PARTNER WITH THE NATIONAL CHILD SAFETY COUNCIL TO PROVIDE CHILD SAFETY MATERIALS

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office in its continuing commitment to child safety, is again organizing its annual Child Safety program geared to all children; and the Wayne County Sheriff's Office, in cooperation with the Wayne County Schools, will be providing child safety education materials for all school children. These materials have been designed exclusively by the National Child Safety Council, and paid for by the National Child Safety Council; and

WHEREAS, the Wayne County Sheriff requests to partner with the National Child Safety Council to solicit contributions from citizens and businesses in Wayne County to cover the costs of the child safety education materials; and the Wayne County Sheriff's office agrees to accept funds for the child safety materials on behalf of the National Child Safety Council; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to enter into a partnership with the National Child Safety Council to provide child safety materials to children in Wayne County schools.

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

RESOLUTION NO. 196-10: AUTHORIZATION TO AMEND SHERIFF'S CORRECTIONS BUDGET TO COVER COSTS ASSOCIATED SERVICES PROVIDED BY THE OFFICE OF MENTAL HEALTH

Mr. Plant presented the following:

WHEREAS, the Wayne County Jail provides services to inmates in facilities operated by the New York State Office of Mental Health under Criminal Court and/or Family Court Order, and Correction Law Admission; and the Wayne County Sheriff's Corrections Division budget was decreased from \$92,000 in 2009 to \$50,000 in 2010; and

WHEREAS, the Wayne County Sheriff's Office received on January 13, 2010 bills for incarcerated services provided by the Office of Mental Health in 2009 totaling \$47,342.68, leaving a total of \$2,657.32 in budget for the remainder of the year; and the Wayne County Sheriff's Office had bills totaling \$ \$97,639.70 in 2009 for incarcerated services provided by the Office of Mental Health, leaving an estimated shortfall of approximately \$42,000 for 2010, now therefore; now, therefore, be it further

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to amend the 2010 County Budget as follows:

A1990-Contingent Fund General:

\$42,000 from .54000 Contractual Expense

A31504 Sheriff-Jail

\$42,000 to 54571 CPL costs

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

RESOLUTION NO. 197-10: AUTHORIZATION TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE VICTIMS RESOURCE CENTER OF FINGER LAKES

Mr. Plant presented the following:

WHEREAS, the Victims Resource Center of the Finger Lakes, Inc. provides comprehensive sexual assault and rape crisis, dating/domestic violence, and stalking prevention education programs; and

WHEREAS, the Victims Resource Center of the Finger Lakes will provide such programs for female inmates of the Wayne County Correctional Facility, along with providing direct service delivery to victims/survivors and their families. The prevention education curriculum follows the S.M.A.R.T. (specific, measurable, attainable, realistic, and timely) program objectives; and

WHEREAS, the Victim Resource Center of the Finger Lakes requests to enter into a Memorandum of Understanding with the Wayne County Sheriff's Office, whereby Wayne County Sheriff's Office agrees to participate in stated education programs by meeting with Victims Resource Center facilitators to review the Women's Empowerment curriculum; provide a meeting space at the Wayne County Jail for the program; commit to 6-8 week sessions during one quarter for the program, with a maximum of 10 women for each quarterly session; identify candidates for the program; provide permission for the Victim's Resource Center facilitators to complete intakes, sign consent to release forms, and pre and post- tests with participants; provide an annual training for Victim Resource Center facilitators; participate in the review and quality assurance tool for the completed program; and provide a safe and secure environment for Victims Resource staff and participants; and

WHEREAS, there is no cost to the Sheriff's Office for such programs; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to sign a Memorandum of Understanding with the Victims Resource Center of the Finger Lakes regarding the sexual assault and rape crisis, dating/domestic violence, and stalking prevention education program, upon review and approval of the County Attorney.

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

RESOLUTION NO. 198-10: AUTHORIZATION TO RENEW PARKING LOT LEASE AGREEMENT WITH NYSEG

Mr. LeRoy presented the following:

WHEREAS, the lease with NYSEG for parking in their lot located between William Street and Geneva Street expired on December 31st, 2009; and we have received the bill from NYSEG for a cost of \$3,500.00; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign a lease agreement for parking for the period January 1, 2010 to December 31, 2010 as provided by NYSEG, and the Superintendent of Buildings and Grounds is hereby authorized to pay said lease from the 2010 Budget.

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

RESOLUTION NO. 199-10: AUTHORIZATION TO CONTRACT FOR PEST CONTROL SERVICE

Mr. LeRoy presented the following:

WHEREAS, Wayne County has numerous facilities that require pest control services, and an RFP was issued to Flytech Extermination, Flower City Pest Elimination, and Envirotech NYS; and Flytech Extermination and Flower City Pest Elimination were the only responses to said RFP, and upon review of the two proposals received, based on the services that Wayne County has required in the past several years; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an agreement with Flytech Extermination, subject to approval by the County Attorney as to form and content for the period of April 1, 2010 through March 31, 2015, at an estimated annual cost of \$9,000.00.

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

RESOLUTION NO. 200-10: AUTHORIZATION TO ADVERTISE FOR BIDS FOR A VENDOR TO PROVIDE CONCESSIONS AT SODUS POINT PARK

Mr. LeRoy presented the following:

WHEREAS, the current vendor for concessions at Sodus Point Park has decided not to renew their license for operation of the concession stand at Sodus Point Park for the 2010 park season; 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 concessions for Sodus Point Park, in accordance with specifications prepared by the County Attorney and the Superintendent of Buildings and Grounds; and be it further

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

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

RESOLUTION NO. 201-10: ACCEPTING BIDS FOR HIGHWAY CONSTRUCTION AND MAINTENANCE MATERIALS

Mr. LeRoy presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for various highway construction and maintenance materials for the fiscal year 2010; now, therefore, be it

RESOLVED, that upon the recommendation of the Superintendent of Highways, the bids listed in the 2010 Bid and Material Summary Booklet dated February 2010, a copy of

which has been filed with the Clerk of the Board of Supervisors, are hereby accepted; and be it further

RESOLVED, that any municipal highway department in Wayne County may purchase materials directly from the vendors pursuant to such bids, provided that the municipality shall accept sole responsibility for any payments due the vendor and for audit and inspection of the materials; and be it further

RESOLVED, that any bid not listed in the Bid Summary Booklet is hereby rejected.

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

RESOLUTION NO. 202-10: AUTHORIZATION TO ADVERTISE FOR BID(S) FOR VARIOUS TYPES OF CULVERT PIPE FOR THE HIGHWAY DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, the Wayne County Highway has a need to purchase large metal pipe products for several construction projects this season; now, therefore, be it

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to advertise for bid(s) for 60 feet of 78" diameter aluminized type II corrugated metal culvert for the Sodus Center Road Culvert Project (D51122.52637, 50 feet of 10'-11" x 6'-4" aluminum box culver for the Smith Road Culvert Project D51122.52636, and 34 feet of 14'-10" x 4'-10" and 34 of 16'-4" x 5'-11" aluminum box culvert pipe for the Magog Road Bridge Project (D51122.52941), in accordance with specifications prepared by the Highway Superintendent and subject to the County Attorney's approval as to form and content; and be it further

RESOLVED, that the 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. Miller moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 203-10: AUTHORIZATION TO ADVERTISE FOR BIDS FOR (1) ONE 2010 OR NEWER RUBBER TIRED EXCAVATOR FOR THE HIGHWAY DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, the 2010 Road Machinery Budget identified a Rubber Tired excavator to be purchased under DM 5130 52400, Highway & Street Equipment; and

WHEREAS, the new excavator will replace a 1993 Case Rubber Tired excavator which will be declared surplus and sent to auction; now, therefore, be it

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to advertise for bid(s) for (1) 2010 or newer Rubber Tired excavator, in accordance with specifications prepared by the Highway Superintendent and subject to the County Attorney's approval as to form and content; and be it further

RESOLVED, that the 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, and be it further

RESOLVED, that the 1993 Case Rubber Tired Excavator be declared surplus and sent to the Municipal auction in Palmyra.

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

RESOLUTION NO. 204-10: AUTHORIZATION TO ACCEPT FUNDS, MODIFY BUDGET AND SOLICIT FOR PROPOSALS FOR SAFE PASSING ZONE STUDY

Mr. LeRoy presented the following:

WHEREAS, the County Highway Department has identified the need to accurately

identify the current safe passing zones on County Roadways; and the County has submitted a proposed project to the Genesee Transportation Council (GTC) for consideration; and the GTC has approved and authorized funding for a project entitled "Wayne County Safe Passing Zone Survey". The project has a proposed budget of \$40,000 of which \$37,500 will be Federal Funds and \$2,500 will be a local in-kind match; and this new project will require a modification to the 2010 budget; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an agreement with the GTC to accept the funds from the GTC; and be it further

RESOLVED, that the Treasurer is hereby directed to create project D51122.52627 and appropriate funds as follows:

D51122.52627 - Wayne County Safe Passing Zone Study increase by \$37,500

D99990.44511 – Federal Aid, Marchiselli increase by \$37,500; and be it further

RESOLVED, that the County Highway Superintendent is authorized to solicit proposals from qualified consulting firms to perform the study.

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

RESOLUTION NO. 205-10: AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE REPAIR OF THE IN-GROUND VEHICLE LIFT IN THE HIGHWAY SHOP

Mr. LeRoy presented the following:

WHEREAS, the two post hydraulic vehicle lift in the Highway Department was installed in 1967 when the building was constructed; and the lift has recently been taken out of service due to a defective rear post; and the Highway Department does not have another lift that can be utilized; and after discussions with several lift manufacturers and service companies, the most economical option is to repair the existing lift rather than replace the lift entirely; now, therefore, be it

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to advertise for bid(s) for the repair of the existing vehicle lift; and be it further

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

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

RESOLUTION NO. 206-10: REAPPOINTMENTS 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, 2010:

James Switzer, 1291 Centennial Drive, Ontario, NY 14519

Nelson Cook, 1998 Maple Avenue, Palmyra, NY 14522

David LeRoy, 6013 Birchwood Lane, Sodus, NY 14551

Larry Ruth, 2316 Smith Hill Road, Walworth, NY 14568

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, 2013.

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

RESOLUTION NO. 207-10: SET PUBLIC HEARING FOR INCLUSION OF LAND IN A CERTIFIED AGRICULTURAL DISTRICT

Mr. Spickerman presented the following:

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

WHEREAS, Richard and Kathleen Kowalski requested to have their land, tax parcel ID number 74120-00-533024 (11.86 acres), included in a certified agricultural district; and before this property can be formally included in the Agricultural District No. 1, the Board of Supervisors must hold a public hearing; now, therefore, be it

RESOLVED, that the Board of Supervisors will hold a public hearing for the modification of Agricultural District No. 1 on Tuesday, April 20, 2010 at 9:15 a.m. in the Supervisors Chambers of the Wayne County Courthouse, 26 Church Street, Lyons.

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

RESOLUTION NO. 208-10: RESOLUTION SETTING PUBLIC HEARINGS FOR GRANT APPLICATION

Mr. Spickerman presented the following:

WHEREAS the New York State Office of Community Renewal has solicited proposals from municipalities under the 2010 Annual Competitive Round of the Small Cities program; and the deadline for filing the 2010 application is April 23, 2010; and

WHEREAS, potential applicants for Small Cities funding are required to schedule and conduct two advertised public hearings prior to the submission of such applications to give the public the opportunity to suggest projects for municipalities to consider; and Wayne County has held the first of these hearings and may have an interest in filing an application under the 2010 Annual Competitive Round for development of a facility in the Village of Newark to house Candy Apple Day Care; and

WHEREAS, the purpose of the hearing is to solicit public comment on the potential project identified above and to receive proposals for other projects for consideration by the County; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorizes the Clerk of the Board to advertise and conduct the 2nd hearing in time to permit the filing of a 2010 Small Cities application; and be it further

RESOLVED, that the hearing be set for April 1, 2010 at 10:00 a.m. in the Board of Supervisors' Chambers at 26 Church Street, Lyons, New York; and be it further

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

Mr. Miller moved the adoption of the resolution. Seconded by Mr. Manktelow. Upon roll call, adopted.

RESOLUTION NO. 209-10: AUTHORIZATION TO RESCIND RES. No. 593-88 POLICY IN RELATION TO ANSWERING EQUIPMENT

Mrs. Collier presented the following:

WHEREAS, Resolution No. 593-88 Adopting County Policy in Relation to telephone answering equipment resolved effectively immediately, no telephone answering equipment shall be installed in any County Office; all telephone answering equipment now installed in any County office shall be removed by October 19, 1988 and exceptions to this policy are subject to approval by resolution of the Board of Supervisors; and

WHEREAS, the County telephone system allows for telephone answering technology which eliminate the requirement of a machine in most cases; and over the past five years hundreds of employees have been given approval to have answering services through the County system by Board resolution; and utilizing a Board resolution is not the most efficient way method of approving the use of answering services; now, therefore, be it

RESOLVED, that Resolution No. 593-88 is hereby rescinded; and be it further

RESOLVED, that future requests for answering services through the County telephone system will be approved or denied by the County Administrator.

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

RESOLUTION NO. 210-10: AUTHORIZATION TO AMEND WAYNE COUNTY COMPLIANCE PLAN

Mrs. Collier presented the following:

WHEREAS, the County of Wayne adopted the Wayne County Compliance Plan by Resolution No. 96-10 duly enacted on January 27, 2010; and there is a need to make several technical amendments to said Compliance Plan; and the County Compliance Officer, the Human Resources Director, the Wayne County Attorney and the Government Operations Committee of the Wayne County Board of Supervisors have reviewed these technical amendments and found them to be necessary and proper; and a copy of said amended Wayne County Compliance Plan is appended to this resolution and is on file with Clerk of the Wayne County Board of Supervisors; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby approves and adopts the amended Wayne County Compliance Plan that is appended to this Resolution and is on file with the Clerk of the Board of Supervisors.

Mr. Marquette addressed the Board to discuss the amendments that were revised for the Wayne County Compliance Plan. Prior to today's meeting, Mr. Marquette distributed the revised plan that highlighted the changes made.

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

RESOLUTION NO. 211-10: AUTHORIZATION TO BID FOR THE CEILING LIFTS FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the Wayne County Nursing Home must purchase ceilings lifts to ensure the safety of the patients and employees; and Nursing Home has to bid for the purchase of eight (8) ceilings lifts; now therefore, be it

RESOLVED, that the Wayne County Nursing Home Administrator is hereby authorized and directed to prepare specifications for bid of eight (8) ceiling lifts and approved by the County Attorney as to content and form; and be it further

RESOLVED, that the Clerk of the Board is hereby authorized to advertise for said bid and report the results to the Board for award.

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

RESOLUTION NO. 212-10: AUTHORIZATION FOR MENTAL HEALTH DEPARTMENT TO CREATE NEW POSITIONS IN ACCORDANCE WITH THE 2010 COUNTY BUDGET

Ms. Park presented the following:

WHEREAS, the community's need for services from the Mental Health Department continues to grow and in order for the department to satisfactorily meet these ongoing needs additional staff resources are necessary; and during the 2010 budget planning process, the following positions were planned and budgeted for in the adopted 2010 County Budget and will not require any additional funding beyond the current 2010 budget:

- 2- Staff Social Workers
- 1- Substance Abuse Counselor
- 1- Community Mental Health Aide
- 1- Clerk Typist

and

WHEREAS, the department remains in need of these new staff resources and the associated funding and expenses for these newly created positions remains in the adopted 2010 Mental Health Department/County Budget, and these positions will be funded by program revenues and no county funding; now, therefore, be it

RESOLVED, that the positions including 2-Staff Social Workers, 1-Substance Abuse Counselor, 1-Community Mental Health Aide and 1-Clerk Typist are authorized to be created in the Mental Health Department in accordance with the 2010 adopted County Budget.

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

RESOLUTION NO. 213-10: APPOINTMENT OF MEMBER TO THE WAYNE COUNTY COMMUNITY SERVICES BOARD

Ms. Park presented the following:

WHEREAS, Sheriff Barry Virts, who has expressed an interest to serve on the Wayne County Community Services Board; and there is now an opening on the Wayne County Community Services Board; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors, upon recommendation of the Health and Medical Committee, hereby appoints Sheriff Barry Virts to serve on the Wayne County Community Services Board pursuant to Article 41 of New York State Mental Hygiene Law and in accordance with the Wayne County Community Services Board Bylaws and for the duration of the term to expire on December 31, 2013.

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

RESOLUTION NO. 214-10: APPOINTMENT OF MEMBER TO THE WAYNE COUNTY COMMUNITY SERVICES BOARD

Ms. Park presented the following:

WHEREAS, Mr. Paul Pfrommer, who has served on the Wayne County Community Services Board and who's service term has recently expired; and this member would like to continue serving on the Wayne County Community Services Board; and the Wayne County Community Services Board (CSB), at its February 8, 2010 meeting voted to renew the following individual for membership to the CSB, and hereby nominates them to the Wayne County Board of Supervisors to serve on the Wayne County Community Services Board for a renewed 4 year term to expire on December 31, 2013; now, therefore, be it

RESOLVED that the Wayne County Board of Supervisors, upon recommendation of the Wayne County Community Services Board, hereby appoints Mr. Paul Pfrommer to serve on the Wayne County Community Services Board pursuant to Article 41 of New York State Mental Hygiene Law and in accordance with the Wayne County Community Services Board Bylaws and for the duration of the term to expire on December 31, 2013.

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

RESOLUTION NO. 215-10: APPOINTMENT OF MEMBER TO THE WAYNE COUNTY COMMUNITY SERVICES BOARD

Ms. Park presented the following:

WHEREAS, Ms. LaVaughn Rynearson, who has served on the Wayne County Community Services Board and who's service term has recently expired; and this member would like to continue serving on the Wayne County Community Services Board; and

WHEREAS, the Wayne County Community Services Board (CSB), at its February 8, 2010 meeting voted to renew the following individual for membership to the CSB, and hereby nominates them to the Wayne County Board of Supervisors to serve on the Wayne County Community Services Board for a renewed 4 year term to expire on December 31, 2013; now, therefore, be it

RESOLVED that the Wayne County Board of Supervisors, upon recommendation of the Wayne County Community Services Board, hereby appoints Ms. LaVaughn Rynearson to serve on the Wayne County Community Services Board pursuant to Article 41 of New York State Mental Hygiene Law and in accordance with the Wayne County Community Services Board Bylaws and for the duration of the term to expire on December 31, 2013.

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

RESOLUTION NO. 216-10: APPOINTMENT OF MEMBER TO THE WAYNE COUNTY COMMUNITY SERVICES BOARD

Ms. Park presented the following:

WHEREAS, Ms. Rebecca Remington, who has served on the Wayne County Community Services Board and who's service term has recently expired; and this member would like to continue serving on the Wayne County Community Services Board; and

WHEREAS, the Wayne County Community Services Board (CSB), at its February 8, 2010 meeting voted to renew the following individual for membership to the CSB, and hereby nominates them to the Wayne County Board of Supervisors to serve on the Wayne County Community Services Board for a renewed 4 year term to expire on December 31, 2013; now, therefore, be it

RESOLVED that the Wayne County Board of Supervisors, upon recommendation of the Wayne County Community Services Board, hereby appoints Ms. Rebecca Remington to serve on the Wayne County Community Services Board pursuant to Article 41 of New York State Mental Hygiene Law and in accordance with the Wayne County Community Services Board Bylaws and for the duration of the term to expire on December 31, 2013.

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

RESOLUTION NO. 217-10: AUTHORIZATION TO SUBMIT AN UPDATED NOTICE OF INTENT TO PROVIDE PUBLIC ACCESS DEFIBRILLATION AND THE COLLABORATIVE AGREEMENT TO THE FINGER LAKES REGIONAL EMERGENCY MEDICAL SERVICES COUNCIL, INC.

Ms. Park presented the following:

WHEREAS, The County of Wayne has purchased several Automated External Defibrillation (AED) units for several county office buildings; and currently the Notice of Intent to Provide Public Access Defibrillation and the Collaborative Agreement that is filed with the Finger Lakes Regional Emergency Medical services Council, Inc. only covers the AED located in the Wayne County Health Services Building; and

WHEREAS, the County of Wayne has to update the current notice of intent and collaborative agreement to include the locations of the new AEDs and update the Wayne County Policy and Procedure Protocol for Public Access Defibrillation; now, therefore, be it

RESOLVED, the Director of Public Health is hereby authorized to file an updated Notice of Intent to Provide Public Access Defibrillation, an updated Collaborative Agreement and an updated Wayne County Policy and Procedure Protocol for Public Access Defibrillation with the Finger Lakes Regional Emergency Medical Services Council, Inc.

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

RESOLUTION NO. 218-10: AUTHORIZATION TO PURCHASE RADIO ADVERTISEMENT FROM 103.5 BIG DOG COUNTRY AND ENTERCOM MARKETING RESULTS GROUP FOR THE CERTIFIED HOME HEALTH AGENCY

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) has need to advertise the certified home health agency services; and 103.5 Big Dog Country and 92.5 WBEE, a division of

Entercom Marketing Results Group, covers the demographic age of 35 and older and their broadcast coverage covers the entire County of Wayne; and the advertisement costs are as follows:

- 103.5 Big Dog Country
Thirty second advertisement for \$12.50 each
Purchase 26 thirty second radio ads per week for eight weeks - \$2600
- 92.5 WBEE – Entercom Marketing Results Group
Purchase 11 thirty second radio ads and 10 on-line streaming per week for 5 weeks - \$6,010 and

WHEREAS, WCPH would like to purchase the above radio advertisements from 103.5 Big Dog Country and 92.5 WBEE – Entercom Marketing Results Group; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to purchase the above radio advertisements from 103.5 Big Dog Country and 92.5 WBEE – Entercom Marketing Results Group for a total cost not to exceed \$8,610 from Account No. A40194.54527 Public Relations.

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

RESOLUTION NO. 219-10: AUTHORIZATION TO PURCHASE ADVERTISEMENT SPACE FOR WAYNE COUNTY PUBLIC HEALTH

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) wishes to purchase advertisement space to advertise the certified home health agency (CHHA) services and the general public health services from the Community Resource Collaborative Forum; and the advertisement will be in the Community Resource Guide of Wayne County and also on the electronic, web-based, version of the Guide for a total of 12 months; and

WHEREAS, WCPH would like to purchase two half-page ads at a cost of \$500 each, for a total of \$1,000, to advertise the CHHA services and the general public health services in the Community Resource Guide. This cost also includes a 12-month continuous advertisement on the web-based version of the Guide; now, therefore, be it

RESOLVED, the Director of Public Health is hereby authorized to purchase two half-page advertisements and the continuous web-based advertisements for the CHHA and the general public health services for a total cost of \$1000 from the Community Resource Collaborative Forum.

\$500 - A40194 54527 – Wayne Community Nursing Care (CHHA)

\$500 - A40104 54402 – Wayne County Public Health

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

RESOLUTION NO. 220-10: AUTHORIZATION TO DECLARE EQUIPMENT AT WAYNE COUNTY PUBLIC HEALTH AS SURPLUS

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) has the following equipment that is in poor condition and non-repairable:

- Minolta Digital Copier – Dialta (D1776) Model #D;620, serial # 3137160
- Maytag refrigerator – Model # CTB1922GRW, serial # 11322741ZW

and

WHEREAS, WCPH wishes Building and Grounds to dispose of this equipment; now, therefore, be it

RESOLVED, the Director of Public Health is hereby authorized to declare the above mentioned equipment as surplus; and be it further

RESOLVED, the Director of Buildings and Grounds is hereby authorized to dispose of the above mentioned equipment as per policy and procedure indicates.

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

RESOLUTION NO. 221-10: AUTHORIZATION TO CREATE THREE PART-TIME CERTIFIED HOME HEALTH AIDE POSITIONS FOR THE CERTIFIED HOME HEALTH AGENCY AND AMEND 2010 BUDGET

Ms. Park presented the following:

WHEREAS, currently Wayne County Public Health's (WCPH) certified home health agency has need to create three part-time certified home health aide (HHA) positions to assist with coverage issues; and currently WCPH contracts with Lifetime Care to provide home health aide services; and WCPH has a consistent need to find coverage of home health aide services for a particular case when Lifetime Care is unable to find coverage; and

WHEREAS, currently WCPH sends Registered Nursing (RN) staff at 1.5 x the hourly rate of pay to provide the home health aide service when the RN is willing to go; and WCPH would like to hire three part-time aides at a rate of \$14.92 per hour worked, not to exceed 40 hours per month per HHA; now, therefore, be it

RESOLVED, the Director of Public Health is hereby authorized to hire three part-time certified HHAs at a rate of \$14.92 per hour worked, not to exceed 40 hours per month, and be it further

RESOLVED, that the Wayne Community Nursing Care budget be amended as follows:

Transfer \$21,485 from A40194.54594 Contractual Aide to A40191.51153 Home Health Aide (P-T)

Transfer \$1644 from A40194.54594 Contractual Aide to A40198.58200 Social Security

Mr. Hammond moved the adoption of the resolution. Seconded by Mrs. Collier. All Supervisors voted Aye, except Supervisor Spickerman who voted Nay. The Chairman declared the Resolution adopted.

RESOLUTION NO. 222-10: AUTHORIZATION FOR WAYNE COUNTY PUBLIC HEALTH'S EARLY INTERVENTION PROGRAM TO APPLY FOR PARTICIPATION IN THE UNITED HEALTHCARE'S EMPIRE PLAN NETWORK

Ms. Park presented the following:

WHEREAS, Wayne County Public Health's (WCPH) Early Intervention Program wishes to apply and become a member of the United Healthcare's Empire Plan Network; and as a member of the United Healthcare's Empire Plan Network, WCPH will be able to bill for Early Intervention services; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to execute the United Healthcare Empire Plan Provider Agreement on behalf of Wayne County Public Health's Early Intervention Program so that Wayne County Public Health may become a United Healthcare's Empire Plan Network member, with approval as to form and content from the County Attorney.

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

RESOLUTION NO. 223-10: AUTHORIZATION FOR DECLARATION OF CHARITY FOR WAYNE COUNTY PUBLIC HEALTH DEPT

Ms. Park presented the following:

WHEREAS, the Wayne County Public Health Department is required to provide a percentage of Charity Care service to its eligible patients; and the Public Health Dept. has determined that visits undeclared for, through 12/31/08, total \$25,326.20, now, therefore be it

RESOLVED, that the Board of Supervisors acknowledges the amount of \$ 25,326.20 as the 2009 Charity Care declaration.

Ms. Park moved, seconded by Mr. Plant, to amend the "RESOLVED" clause as follows:

"RESOLVED, that the Board of Supervisors acknowledges the amount of \$23,626.20 as the 2009 Charity Care declaration".

Upon roll call, motion, carried.

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

RESOLUTION NO. 224-10: DECLARATION OF BAD DEBT FOR WAYNE COUNTY PUBLIC HEALTH DEPT

Ms. Park presented the following:

WHEREAS, the Wayne County Public Health Dept. cost reporting requirements includes the acknowledgement of Bad Debt annually; and this years bad debt declaration includes billings from prior years 2006 – 2008; now, therefore, be it

RESOLVED, that the Board of Supervisors acknowledges the amount of \$ 5,616.67 as the 2010 Declaration.

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

RESOLUTION NO. 225-10: AUTHORIZATION TO RENEW BUSINESS ASSOCIATE AGREEMENT WITH GENESEE REGION HOME CARE ASSOCIATION, INC. AND GENESEE REGION HOME CARE OF ONTARIO COUNTY, INC.

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) has several business relationships with the Genesee Region Home Care Association, Inc and with Genesee Region Home Care of Ontario County, Inc.; and in order to continue our relationships with the above organizations, WCPH is required to update our Business Associate Agreement that incorporates changes brought about by the Health Information Technology for Economic and Clinical Health Act passed in February 2009; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to execute an updated Business Associate Agreement with the Genesee Region Home Care Association, Inc and with Genesee Region Home Care of Ontario County, Inc., subject to the approval of the County Attorney at to form and content.

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

RESOLUTION NO. 226-10: AUTHORIZATION TO EXECUTE CONTRACT FOR SPEECH THERAPY SERVICES FOR THE CERTIFIED HOME HEALTH AGENCY

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) has need to contract for Speech Therapy services for the certified home health agency (CHHA), and

WHEREAS, Cynthia Beagley, a New York State licensed Speech Language Pathologist, wishes to contract with the CHHA to perform speech therapy services; and

WHEREAS, Ms. Beagley will receive:

- \$77.00 per home visit on a weekday
- \$82.00 per home visit on a weekend
- \$20.00 per hour for agency in-services and training and consultation services that pertain to speech therapy and to attend the quarterly Professional Advisory Committee (PAC) meetings

WHEREAS, Ms. Beagley will be expected to conduct home visits to clients of the CHHA that require Physician authorized speech therapy services and to attend all quarterly PAC meetings; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract for the period March 17, 2010 through December 31, 2010 with Cynthia Beagley, 2430 Cambier Road, Newark, NY 14513, to conduct Speech Therapy services for the CHHA, with approval of the County Attorney as to form and content, and with proof of insurance certification as required by the County.

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

RESOLUTION NO. 227-10: AUTHORIZATION TO HIRE SODUS POINT PARK STAFF FOR THE 2010 SEASON

Mrs. Crane presented the following:

WHEREAS, the Wayne County Department of Aging and Youth is requesting authorization to hire 16 staff for the operation of Sodus Point Park for the 2010 Season, including the following job functions: Skills Test, Staff Orientation, Beach Operations Set-up, Lifeguard Supervised Swimming 7 days/week, 8 hours/day (11:00 a.m.-7:00 p.m.) June 29-September 6, 2010; now, therefore, be it

RESOLVED, that the Board of Supervisors does hereby authorize the hiring of 16 lifeguards for the operation of Sodus Point Park for the 2010 season; and further be it

RESOLVED, that the rates for Staff salaries for the season will be within the approved 2010 Wayne County Budget as follows:

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

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

RESOLUTION NO. 228-10: AUTHORIZATION TO ENTER INTO CONTRACT WITH WAYNE COUNTY ACTION PROGRAM-COMMUNITY BASED ADOLESCENT PREGNANCY PREVENTION PROGRAM

Mrs. Crane presented the following:

WHEREAS, Wayne CAP is requesting the Department of Aging and Youth provide youth development contracted services for adolescents participants of the CBAPP Program; and WCAP will pay the Department of Aging and Youth \$5,700 for the provision of youth development activities sited in the contract; and

WHEREAS, the program year is January 1, 2010 through December 31, 2010; 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, where WCAP will compensate the County in the amount of \$5,700 for the provision of youth development services for the period of January 1, 2010 through December 31, 2010.

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

RESOLUTION NO. 229-10: AUTHORIZATION TO RENEW 2010 TITLE III C-2 CONTRACT WITH HOME MEAL SERVICE, INC.

Mrs. Crane presented the following:

WHEREAS, the Federal Older Americans Act allocates Title III C-2 funds to provide home delivered meals to homebound elderly individuals who are nutritionally at risk; and the Department of Aging and Youth contracts with the Home Meal Service, Inc. to provide

this home meal delivery service. The Title III C-2 contract is in the amount of \$40,711 plus the contributions and USDA allotment. Home Meal Service provides the \$4,524 match; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Home Delivered Meal Service, in the amount of \$40,711 for the period of April 1, 2010 through March 31, 2011.

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

RESOLUTION NO. 230-10: AUTHORIZATION TO RENEW THE 2010 SUPPLEMENTAL NUTRITIONAL ASSISTANCE PROGRAM (SNAP) WITH HOME MEAL SERVICE, INC. CONTRACT

Mrs. Crane presented the following:

WHEREAS, the NY State allocates Supplemental Nutritional Assistance program (SNAP) grant funds to provide home delivered meals to homebound elderly individuals who are nutritionally at risk; and the Department of Aging and Youth contracts with Home Meal Service, Inc. to provide this home meal delivery service. The Contract year runs for the period of April 1, 2010 through March 31, 2011. The SNAP contract is in the amount of \$86,669 plus the contributions and USDA allotment; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Home Meal Service, Inc. in the amount of \$86,669 for the period of April 1, 2010 through March 31, 2011.

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

RESOLUTION NO. 231-10: AUTHORIZATION TO RENEW THE 2010 CONTRACT WITH HOME MEAL SERVICE, INC. FOR SODUS SENIOR CENTER

Mrs. Crane presented the following:

WHEREAS, the Department of Aging and Youth contracts with Home Meal Service to administer the Sodus Senior Center (congregate meal site); and the Supplemental Nutritional Assistance program (SNAP) grant is utilized to fund the Sodus Senior Center. The contract year is for the period of April 1, 2010 through March 31, 2011; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Home Delivered Meal Service to run the Sodus congregate meal site, in the amount of \$8,000 for the period of April 1, 2010 through March 31, 2011.

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

RESOLUTION NO. 232-10: AUTHORIZATION TO AWARD MINI-GRANTS FROM THE HEALTHY COMMUNITIES CAPACITY BUILDING INITIATIVE

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) received \$34,000 from the New York State Dept. of Health (NYSDOH) for the Healthy Communities Capacity Building Initiative to plan for environmental and policy change to induce physical activity and better nutrition for the residents of Wayne County; and

WHEREAS, the NYSDOH agreed to allow WCPH to award mini-grants to community centers, recreation programs, and after school programs within Wayne County to make a policy change based around nutrition and physical activity; and

WHEREAS, each facility could obtain up to \$2,000 to create such policy change; and

WHEREAS, the following facilities were awarded as follows:

Goal ChaserZ, Wayne CAP	\$1,388.89
Lyons Community Center	\$1,999.99
Palmyra Community Center	\$727.99
Safe Schools/Healthy Schools,	\$1,770.78
Sodus Point Community Center	\$1,972.57
Walworth Recreation	\$945.50

WHEREAS, each facility has to purchase approved items in their proposal prior to March 31, 2010 and submit receipts to WCPH for redeeming; now, therefore, be it

RESOLVED, the Director of Public Health is hereby authorized to award the above amounts to each facility to promote increased physical activity and healthy nutrition, expended from Account No. A40114.54449.

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

RESOLUTION NO. 233-10: AUTHORIZATION FOR THE DEPARTMENT OF AGING & YOUTH AND THE DEPARTMENT OF SOCIAL SERVICES TO ENTER INTO A CONTRACT FOR THE PARTIAL FUNDING OF THE FAMILIES AND COMMUNITIES TOGETHER PROGRAM (FACT) ON A TIME-LIMITED BASIS AND AUTHORIZATION TO AMEND THE DEPARTMENT OF AGING & YOUTH BUDGET

Mrs. Crane presented the following:

WHEREAS, the Wayne County Department of Social Services is requesting the Wayne County Department of Aging and Youth to provide contracted FACT intensive case management services for 10 TANF eligible families with the performance outcome measure being averting out of home placement for TANF youth, and Wayne County DSS will pay the Department of Aging and Youth \$15,000.00 for the provision of FACT services cited in the contract, and

WHEREAS, the program year is January 1, 2010 through December 31, 2010, and the NYS Office of Family and Children Services Youth Development Delinquency Prevention (YDDP) revenues that fund the FACT Program have been reduced by \$15,000.00; now, therefore, be it

WHEREAS, that the Commissioner of Social Services and the Director of Aging & Youth are 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, wherein the Wayne County Department of Social Services will purchase services from the Department of Aging & Youth in an amount not to exceed \$15,000.00 for the provision of FACT program services for the period of January 1, 2010 through December 31, 2010 and further be it

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to make the following modifications to the following revenue accounts.

A7310-Youth Bureau:

\$15,000 from 43836 Youth Bureau/ YDDP

\$15,000 to 42760 FACT Program

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

OTHER BUSINESS

Mr. Plant moved, seconded by Ms. Park that eight (8) resolutions be allowed on the floor under Other Business. Motion carried.

RESOLUTION NO. 234-10: AUTHORIZATION TO CANCEL TAX WARRANT REGARDING PARCEL TAX ID NUMBER 61111-00-255825

Mrs. Bender presented the following:

WHEREAS, the Town of Macedon purchased property located at 1629 Wayneport Road in the Town of Macedon tax ID # 61111-00-255825 on April 29, 2009; and

WHEREAS, said property is presently in tax roll Section 8 as tax exempt property owned by a Municipality and there is presently a tax warrant dated December 31, 2009 regarding said property with taxes due in owing in the amount of \$20,285.28; and

WHEREAS, the Town of Macedon has requested that the County cancel said tax warrant pursuant to Section 558 and 995 of the Real Property Tax Law for the reason that the lien of said taxes is unenforceable against said property by reason of the fact that real property owned by a Municipality is exempt from tax liens and execution; now, therefore, be it

RESOLVED, that the Wayne County Warrant for taxes as specified in said Warrant dated December 31, 2009 on parcel number 61111-00-255825, a copy of which is annexed hereto, located at 1629 Wayneport Road in the Town of Macedon be cancelled pursuant to Section 558 and 995 of the Real Property Tax Law without prejudice to any taxing authority proceeding pursuant to Section 995 of the Real Property Tax Law; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to charge back the pertinent taxing authorities in the manner prescribed by Section 554 of the Real Property Tax Law.

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

RESOLUTION NO. 235-10: AUTHORIZATION TO PURCHASE 2 (TWO) 48"X48" FLUORESCENT ROAD SIGNS WITH COMPACT SIGN STAND

Mr. Plant presented the following:

WHEREAS, The NYS Office of Fire Prevention and Control in conjunction with the new Fire Police training course recommend appropriate traffic signs indicating Fire Training Ahead and this signage can and will be used at the Wayne County Fire Training Facility for all outside fire training evolutions where equipment and/or personnel is subjected to public traffic; and

WHEREAS, nursing home construction workers traffic flow pattern has been assigned through the fire training grounds thus creating a heavier than usual flow of daily traffic in the area; and

WHEREAS, the 2010 budget does not include funding of said purchase of signage; now, therefore, be it

RESOLVED, that the Fire Coordinator is hereby authorized to purchase 2 safety roll up traffic signs with compact sign stands at a cost not to exceed \$360.00; and be it further

RESOLVED, that the County Treasurer is hereby authorized to amend the 2010 County Budget as follows:

A3410-MUTUAL AID (FIRE COORDINATOR)

\$360.00 to .52000 Equipment & Other Cap Outlay

\$200.00 from .52201 Computer Equipment

\$160.00 from .54126 Field Supplies

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

RESOLUTION NO. 236-10: AUTHORIZATION TO TRANSFER FUNDS TO BURN BUILDING RENOVATION PROJECT FUND

Mr. Plant presented the following:

WHEREAS, a burn building renovation project fund was established October 2008; and the first phase of the project has been completed; and

WHEREAS, the final payment for said project is due and there is a shortfall of monies in the project fund balance in the amount of \$74.49; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to amend the 2010 County Budget as follows:

A3410-MUTUAL AID (FIRE COORDINATOR)

\$74.49 to .54400 Contracted Services
\$74.49 from .54438 Maintenance/Repairs

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

RESOLUTION NO. 237-10: AUTHORIZATION TO ACCEPT PROPOSAL FOR REPLACEMENT OF DOORS AND WINDOWS FOR THE FIRE TRAINING BURN BUILDING

Mr. LeRoy presented the following:

WHEREAS, The Superintendent of Buildings and Grounds had been authorized by resolution # 699-09 to prepare and distribute Requests for Proposals for door and window replacements at Wayne County Fire Training Center Burn building, and three (3) request for proposals have been requested from, Nicoletta Building Contractors, Secor Lumber, and Alliance Window and Door, and

WHEREAS, Requests for Proposals have been received as follows:

Secor Lumber Company Inc. 13140 W Church St, Savannah, NY 13146 Phone: 315-365-2838

All door frame openings approximately 6'8" in height but more than 3' in width.
\$2,700.00 Twenty Seven Hundred Dollars 5 total = \$13,500.00

All door frame openings approximately 6'8" in height but less than 3' in width.
\$2,600.00 Twenty Six Hundred Dollars 6 total = \$15,600.00

All window openings approximately 3'8" in height but more than 3' in width.
\$2,600.00 Twenty Six Hundred Dollars 8 total = \$20,800.00
Total of All= \$49,900.00

now, therefore, be it

RESOLVED, that the bid submitted by Secor Lumber Co., Inc. in the amount of \$49,900.00 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 Secor Lumber Co., Inc. for a total cost not to exceed \$ 49,900.00; and be it further

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to make the following budget adjustments:

A1990-CONTINGENT FUND GEN:

\$49,900.00 from Contractual Expense

A3410-MUTUAL AID FIRE COORDINATOR):

\$49,900.00 to .54400 Contracted Services

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

RESOLUTION NO. 238-10: AUTHORIZE CONTRACT FOR REHAB SERVICES AT THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, Wayne County Nursing Home advertised and received the following proposals for the provision of rehab services:

RUG Group	Cost Per Diem					Total Cost				
	2009 Bed Days	Initial Rehab Resources	Amended Rehab Resources	Freedom Therapy	VTA Manage	- Initial Rehab Resources	Amended Rehab Resources	Freedom Therapy	VTA Manage	
RU	385	229.51	138.86	231.44	122.40	- 88,361.35	53,461.10	89,104.40	47,124.00	
RV	1144	143.83	92.86	160.72	85.00	- 164,541.52	106,231.84	183,863.68	97,240.00	
RH	1002	95.88	58.04	104.47	55.25	- 96,071.76	58,156.08	104,678.94	55,360.50	
RM	1653	78.55	25.72	48.22	25.50	- 129,843.15	42,515.16	79,707.66	42,151.50	
RL	60	43.86	7.39	14.47	7.65	- 2,631.60	443.40	868.20	459.00	
						481,449.38	260,807.58	458,222.88	242,335.00	

Part B & Outpatient Services provided at % of facility Medicare fee as follows: 75% 75% 60% 75%

WHEREAS, Wayne County Nursing Home requires the services of a qualified, experienced therapists to provide said services; and upon review of proposals by the Nursing Home Administration, County Administration and Health and Medical Committee it is recommended that a contract for the provision of rehab services at the Wayne County Nursing Home be awarded to Rehab Resources; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute the agreement with Rehab Resources for the period April 1, 2010 – March 31, 2014, with two (1) year extension options, for provision of rehab services, at a cost pursuant to the submission, subject to the County Attorney’s approval as to form and content.

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

RESOLUTION NO. 239-10: AUTHORIZING EXTENSION OF “PROJECT VETERAN RETURNS” GRANT FOR WORKFORCE DEVELOPMENT DEPARTMENT AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO EXECUTE REQUIRED DOCUMENTS

Mrs. Crane presented the following:

WHEREAS, Resolution No. 515-09 authorized the county to accept a grant entitled “Project Veterans Return”; and this grant is scheduled to end March 31, 2010; and

WHEREAS, the Workforce Development Director has been informed that the grant can be extended through June 30, 2010; and sufficient grant funding is available to continue this service through June 30, 2010 without any contribution of funds by Wayne County; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby approves the extension of the “Project Veterans Return” grant through June 30, 2010 and authorizes the Chairman of the Board of Supervisors to execute any documents required to effect such and extension, subject to the review and approval of the Wayne County Attorney.

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

RESOLUTION NO. 240-10: RESOLUTION AUTHORIZING APPLICATION UNDER COMMUNITY TRADE ADJUSTMENT PROGRAM

Mr. Spickerman presented the following:

WHEREAS Wayne County has been designated as a community eligible for assistance through the United States Economic Development Administration’s (EDA) Community Trade Adjustment Program; and the Comprehensive Economic Development Strategy for the Genesee-Finger Lakes Economic Development District outlines for the EDA those projects which have been ear-marked as priorities for the Wayne County Community; and

WHEREAS, the Trade Adjustment Program can provide up to 95% of an implementation budget for projects in the CEDS as a way to assist communities with comprehensive and flexible solutions to trade impacts; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorizes the Chairman of the Board to execute and submit all necessary paperwork required to meet the April 20, 2010

deadline for submission; and be it further

RESOLVED, that partnering with such agencies and businesses as necessary and feasible to proactively and holistically respond to the trade impacts with an application and implementation project focused on the Silver Hill Technology Park, is hereby authorized; and be it further

RESOLVED, that the Chairman of the Board is authorized and directed to enter into such agreements as required for the application, subject to the review of the County Attorney.

There was some discussion regarding the deadline date of April 20, 2010 for the application and the County Match amount.

Mr. Kelsch moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, all Supervisors voted Aye, except Supervisors Crane and LeRoy who voted Nay. The Chairman declared the resolution adopted.

RESOLUTION NO. 241-10: OPPOSE NEW YORK POWER AUTHORITY GREAT LAKES OFFSHORE WIND PROJECT (TABLED – 3/16/10) (TABLED)

Mr. LeRoy presented the following:

WHEREAS, the New York Power Authority (“NYPA”) released a request for proposals for the development of utility scale (120 mw to 500 mw) wind generating projects in the New York waters of Lake Erie and Lake Ontario; and

WHEREAS, the due date for proposals is June 1, 2010 with a project award date of December 2010; and NYPA has conducted preliminary wind resource studies, site screening studies, environmental studies and other technical studies with respect to the New York waters of Lake Erie and Lake Ontario to investigate potentially feasible locations for wind projects; and

WHEREAS, these studies identify several scenic and environmentally sensitive areas off the Lake Ontario shoreline in Wayne County as suitable sites for wind turbines; and NYPA has provided an incentive for said projects by committing to purchase the electricity it generates either through a long term purchase power agreement or through the outright purchase of the generating facility once it is operational; and

WHEREAS, the waters and shoreline of Lake Ontario consistently return millions of tourism dollars annually to the local economy through fishing, recreational boating, swimming, cottage rentals, hiking and biking, and local festivals and community celebrations; and Wayne County and its residents have worked tirelessly to improve water quality and rebuild public facilities so visitors and residents can continue to enjoy the unblemished beauty of our Lake Ontario shoreline and its beautiful sheltered embayments; and

WHEREAS, the establishment of massive wind farms off Wayne County’s Lake Ontario shoreline threatens Wayne County’s thriving tourism economy and the resulting revenues that local businesses depend upon; and within the proposed tower areas of Lakes Erie and Ontario are numerous submerged cultural resources for which New York State is responsible to protect and provide public access under the Abandoned Shipwreck Act of 1987, and construction of wind towers will likely limit access to these historic resources for research and recreational purposes, and may pose a threat of destruction of these resources, and

WHEREAS, the proposed tower areas are also within the North American Flyway, one of the most significant bird migratory routes in the western hemisphere; and

WHEREAS, no study exists that measures the environmental impact or the actual economic impact to the local tourism economy should an offshore wind farm of this magnitude be established; and Wayne County supports the development of responsibly sited wind energy projects that do not pose significant environmental or economic impacts; and

WHEREAS, Wayne County also supports energy conservation as part of a responsible energy policy and urges the State of New York to continue to seek ways to reduce energy consumption, which could in turn reduce the need for energy generation over time; and Wayne County will not oppose other Counties should they wish to pursue wind energy off their Lake Ontario shoreline; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors is opposed to the Great Lakes Offshore Wind Project as proposed by the New York Power Authority; and that Wayne County urges the New York Power Authority to reject any and all proposals submitted for this project; and be it further

RESOLVED, that copies of this resolution shall be distributed to the New York Power Authority, the New York State Association of Counties, Governor David Patterson, Senator Michael Nozzolio, Assemblyman Robert Oaks, the NYS Department of Environmental Conservation, the NYS Department of State Division of Coastal Resources, St. Lawrence County, Jefferson County, Oswego County, Cayuga County, Monroe County, Orleans County and Niagara County.

Mr. LeRoy moved, seconded by Mr. Lauderdale, to table the resolution until next month's Board session on April 20, 2010. Upon roll call, carried.

Motion was made by Mr. LeRoy, seconded by Mr. Lauderdale to schedule a public hearing to hear citizen comments regarding the proposed New York Power Authority Great Lakes Offshore Wind Project on Tuesday, April 20, 2010 at 9:00 a.m. Motion carried.

ADJOURNMENT:

The next scheduled meeting of the Board is Tuesday, April 20, 2010 at 9:00 a.m.

Mrs. Bender moved, seconded by Ms. Park, that the Board adjourn the meeting at 7:52 p.m. Carried.

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

REQUEST TO CALL SPECIAL MEETING

To the Clerk of the Board of Supervisors:

You are hereby directed to call a Special Meeting of the Board of Supervisors of Wayne County, New York, to be held in the First Floor Conference Room of the Court House in the Village of Lyons, New York, on Wednesday, March 31, 2010 at 7:00 p.m., for the following purposes:

FIRST: PUBLIC HEARING – 7:00 P.M.

The Board is holding this hearing to hear public comments concerning the proposed development of utility scale wind generating projects in the New York waters of Lake Erie and Lake Ontario.

SECOND: To hear, consider and act upon any other matter which may be brought to the Board in the same manner and to the same effect as if the Board were convened in regular session.

Dated at Lyons, New York
March 18, 2010

James D. Hoffman, Chairman
Wayne County Board of Supervisors

NOTICE OF SPECIAL MEETING

State of New York
Wayne County

Office of the Clerk of the Board of Supervisors

Upon direction of the Chairman of the Board of Supervisors of the County of Wayne, I do hereby call a Special Meeting of the Board of Supervisors of Wayne County, New York, to be held in the First Floor Conference Room of the Court House in the Village of Lyons, New York, on Wednesday, March 31, 2010 at 7:00 p.m., for the following purposes:

FIRST: PUBLIC HEARING – 7:00 P.M.

The Board is holding this hearing to hear public comments concerning the proposed development of utility scale wind generating projects in the New York waters of Lake Erie and Lake Ontario.

SECOND: To hear, consider and act upon any other matter which may be brought to the Board in the same manner and to the same effect as if the Board were convened in regular session.

Dated at Lyons, New York
March 18, 2010

Sandra J. Sloane, Clerk
Wayne County Board of Supervisors

7th Day
Wednesday, March 31, 2010
7:00 p.m.

The Special 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 Spickerman.

Upon roll call, all Supervisors were present.

County Administrator James Marquette and County Attorney Daniel Wyner were also in attendance of the evening session.

SCHEDULED BUSINESS:

PUBLIC HEARING – 7:00 P.M.

Chairman Hoffman began the meeting by informing the attending members of the public of the Board's motivation to schedule and hold this public comment period. The Board's interest was to give all individuals the opportunity to voice their opinions concerning the proposed Great Lakes Offshore Wind Project, initiated by the New York Power Authority.

The Chairman opened the floor for public comment at 7:06 p.m., giving brief instruction regarding the Board's procedures that are followed for all hearings. Further, he requested that persons interested in addressing the Board with their comments to come forth to the podium.

The Clerk counted 122 individuals that attended the hearing, including the following 38 who addressed the Board with their comments:

1. Frank Moses, Director of Montezuma Wildlife Society
2. Tom Agnello, President of Blind Sodus Bay Association
3. Ken Redman, Ontario
4. Jack Watson, Wolcott
5. Al Isselhard, Wolcott
6. Dennis Chasse, Newark
7. Barry J. Gheer, Secretary of the Pultneyville Yacht Club
8. John Ferrante, Williamson
9. Arno Bebernitz, Ontario
10. Bob Urrutia, Sodus Point
11. Mary Isselhard, Wolcott
12. Ed Leroux, Leroy Island
13. Jon Fontaine, Marion
14. William Ross, Williamson
15. Jim Wood, Sodus
16. Dave Scudder, Wolcott
17. Steven Castonguay, Newark
18. Terry VanStean, Lyons
19. Mark & Kass Vande, Sodus Point
20. Martha Kincaid, Sodus
21. Timothy Ellis, Williamson
22. Gary Featherly, Arcadia
23. Joan Eckberg, Sodus Point
24. Jan Klapetzky, Williamson
25. Larry Laforce, Sodus Point
26. Mike Fonte, Marion
27. Linda Breed, Palmyra
28. Don O'Neil, Sodus
29. John Brewer, Webster
30. Mike McBride, Williamson
31. Julie Syracuse, Sodus
32. Peter Furguella, Ontario
33. John Solberg, Ontario
34. John Miner, Sodus
35. Nancy Casper, Huron
36. Jack Mays, Williamson
37. Henry Stewart, lake front land owner
38. Ed Dodd, Wolcott

The Chairman provided the opportunity for additional comments at this time. There being no one else to speak, Chairman Hoffman requested a motion to close the hearing.

At 8:33 p.m. Mr. Kelsch moved, seconded by Mr. Colacino, that the hearing be closed. Upon roll call, carried.

The Clerk respectfully tallied their comments and calculated that 29 speakers were against the project, five were supportive and four were undecided for the proposed development of an offshore wind farm.

Chairman Hoffman thanked the members of the public for their participation in tonight's hearing. He stated that this was a good example of democracy and emphasized that he was proud of his fellow Supervisors for arranging this public hearing scheduled for tonight.

The Clerk distributed a copy of Resolution No. 241-10 to Board Members, that was tabled from the last board session of March 16, 2010.

Supervisor LeRoy made a motion to remove Resolution No. 241-10 from the table. Seconded by Ms. Park. Motion carried.

RESOLUTION NO. 241-10: OPPOSE NEW YORK POWER AUTHORITY GREAT LAKES OFFSHORE WIND PROJECT (TABLED on March 16, 2010)

Mr. LeRoy presented the following:

WHEREAS, the New York Power Authority ("NYPA") released a request for proposals for the development of utility scale (120 mw to 500 mw) wind generating projects in the New York waters of Lake Erie and Lake Ontario; and the due date for proposals is June 1, 2010 with a project award date of December 2010; and

WHEREAS, NYPA has conducted preliminary wind resource studies, site screening studies, environmental studies and other technical studies with respect to the New York waters of Lake Erie and Lake Ontario to investigate potentially feasible locations for wind projects; and

WHEREAS, these studies identify several scenic and environmentally sensitive areas off the Lake Ontario shoreline in Wayne County as suitable sites for wind turbines; and NYPA has provided an incentive for said projects by committing to purchase the electricity it generates either through a long term purchase power agreement or through the outright purchase of the generating facility once it is operational; and

WHEREAS, the waters and shoreline of Lake Ontario consistently return millions of tourism dollars annually to the local economy through fishing, recreational boating, swimming, cottage rentals, hiking and biking, and local festivals and community celebrations; and Wayne County and its residents have worked tirelessly to improve water quality and rebuild public facilities so visitors and residents can continue to enjoy the unblemished beauty of our Lake Ontario shoreline and its beautiful sheltered embayments; and

WHEREAS, the establishment of massive wind farms off Wayne County's Lake Ontario shoreline threatens Wayne County's thriving tourism economy and the resulting revenues that local businesses depend upon; and within the proposed tower areas of Lakes Erie and Ontario are numerous submerged cultural resources for which New York State is responsible to protect and provide public access under the Abandoned Shipwreck Act of 1987, and construction of wind towers will likely limit access to these historic resources for research and recreational purposes, and may pose a threat of destruction of these resources, and

WHEREAS, the proposed tower areas are also within the North American Flyway, one of the most significant bird migratory routes in the western hemisphere; and no study

exists that measures the environmental impact or the actual economic impact to the local tourism economy should an offshore wind farm of this magnitude be established; and

WHEREAS, Wayne County supports the development of responsibly sited wind energy projects that do not pose significant environmental or economic impacts; and Wayne County also supports energy conservation as part of a responsible energy policy and urges the State of New York to continue to seek ways to reduce energy consumption, which could in turn reduce the need for energy generation over time; and Wayne County will not oppose other Counties should they wish to pursue wind energy off their Lake Ontario shoreline; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors is opposed to the Great Lakes Offshore Wind Project as proposed by the New York Power Authority; and be it further

RESOLVED, that Wayne County urges the New York Power Authority to reject any and all proposals submitted for this project; and be it further

RESOLVED, that copies of this resolution shall be distributed to the New York Power Authority, the New York State Association of Counties, Governor David Patterson, Senator Michael Nozzolio, Assemblyman Robert Oaks, the NYS Department of Environmental Conservation, the NYS Department of State Division of Coastal Resources, St. Lawrence County, Jefferson County, Oswego County, Cayuga County, Monroe County, Orleans County and Niagara County.

Mr. LeRoy addressed the Board regarding his opposition for the establishment of massive wind farms off Wayne County's Lake Ontario shoreline, citing no studies have been completed to show the environmental impact or the actual economic impact to the local tourism economy. Mr. LeRoy added that the construction of this wind farm project would be of no financial benefit to Wayne County after completed.

Prior to vote, there were comments from several Supervisors regarding their view on the proposed resolution. Their comments included the United States being heavily dependent upon foreign energy sources; not receiving enough information to be able to make an informed decision on this project; the fact that NYPA was not able to attend this hearing to address tonight's questions concerning this project and disappointment with the fact that lakeshore Towns were not directly informed of this initiative by NYPA. Additional comments included that there were better local resources available to promote other means of alternative and renewable energy sources within Wayne County; as well as communicating with neighboring counties that were approached by NYPA, that addressed similar concerns regarding the public benefit and local impact of such a project.

The Chairman called for a vote of the resolution on the floor. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

ADJOURNMENT:

The next scheduled meeting of the Board is Tuesday, April 20, 2010 at 9:00 a.m.

Ms. Park moved, seconded by Mr. Lauderdale, that the meeting be adjourned at 8:50 p.m. Motion carried.

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

8th Day
Tuesday, April 20, 2010
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 Spickerman, followed by Chairman Hoffman giving the invocation.

Upon roll call, all Supervisors were present, except Supervisors Crane, Miller, Collier, LeRoy and Park, who were absent.

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

APPROVAL OF MINUTES:

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

COMMUNICATIONS:

The Clerk read the following:

A copy of the Sheriff's Cash Receipts Report for the period March 19 through April 13, 2010 totaling \$28,125.31.

A copy of the County Auditor's accounts payable report for April 2010 totaling \$6,166,817.32 was received.

A letter from NYSAC, acknowledging the receipt and forwarding a copy of adopted Resolution No. 241-10: Oppose New York Power Authority Great Lakes Offshore Wind Project.

A letter from Senator Nozzolio, sharing the Boards formal opposition to the New York Power Authority's proposal to place wind turbines on Lake Ontario.

Copy of an adopted Resolution from the Town Board of Palmyra regarding the proposed closing of the Butler Minimum Correctional Facility in the Town of Butler to encourage the State of New York to expand and maintain the facility as a viable location for offenders

A copy of a certified resolution from Mayor Vicky Daly of the Village of Palmyra regarding the potential threat and impact of an Electromagnetic Pulse event on vulnerable and largely unprotected infrastructure that exists in Wayne County and New York State by an attack from potential adversaries.

A letter from Walworth Town Supervisor, Robert Plant, regarding the matter of establishing Veterans' Court in Wayne County. Mr. Plant noted that until County Judges are committed to this program, he recommends that a small working group be organized to work with established programs and report their findings back to the Public Safety committee on a regular basis.

A resolution in support of Rail Transportation Services for Rensselaer County was received, seeking additional federal funding to improve rail service to our communities.

A resolution was received from the Essex County Board of Supervisors, calling on the Governor of the State of New York to enforce the collection of sales taxes on tobacco sold on Indian Lands.

A copy of a Chemical Dependence Operating Certificate was received and filed, pertaining to the Wayne Substance Abuse Services Program.

A letter was received from Patricia Alena, Lyons Heritage Society, thanking the Board for their support and effort in saving the Hotchkiss Building and transferring ownership of the building to the Village of Lyons after its restoration.

A letter was received from the NYS Office of Parks, Recreation and Historic Preservation, regrettfully informing the Board that the application submitted for the B. Forman Park Erosion Control Project under the EPA has not been selected for funding.

A letter from Joseph Rabito, Deputy Commissioner of the Office of Community Renewal, was received regarding their concerns regarding program administration and project files when their office conducted a Comprehensive Monitoring visit for Wayne County's 2004 grant project.

A letter was received from Community Action in Self Help, Inc. requesting funding for the proposed Wayne County Mobile Home Replacement Initiative, to assist low-income mobile home owners to qualify for replacements.

A letter from Helen Camp, a Wayne County taxpayer and resident, regarding her concerns and opposition of burdening all tax payers of Wayne County with the costs of funding the construction of a canal trail for Lyons and Newark.

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

BIDS:

Wayne County Highway Department

- Concrete Gutters and Sidewalks - Knickerbocker Road Project
- Rubber Tired Excavator and Mower

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

ANNUAL REPORTS:

WC Stop DWI Program

WC Public Health Services

WC Buildings and Grounds

WC E-911 Communications

WC ALS Services

WC Sheriff Department

WC Water and Sewer Authority Letter of Communication and Management Letter for 2009

WC Water and Sewer Authority Basic Financial Statements Years ended 2008 and 2009

WC Industrial Development Agency Financial Statements

WC Nursing Home and Rehab Center

Western Finger Lakes Solid Waste Management Authority

Wayne Behavioral Health Network

Mr. Plant moved, seconded by Mrs. Bender, that all reports be received and filed. Upon roll call, carried.

PRIVILEGE OF THE FLOOR:

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

PROCLAMATIONS:

On behalf of the Wayne County Board, Supervisor Brian Manktelow read the following proclamations:

National Infant Immunization Week – April 24th – May 1

National Nursing Home Week - May 9th – 15th

Nurses' Week – May 6th -12th

One Stop Month - May 2010

Sheriff Virts read proclamations for recognition of Police Officer Week – May 9th – 15th and Correction Officer Week – May 2nd – 8th.

Deborah Coons, Coordinator of the Wayne County Victim/Witness Services read the proclamation for National Crime Victims' Rights Week - April 18th – 24th

On behalf of the Board, Sheriff Virts read a proclamation for Sexual Assault Awareness/Prevention Month and Child Abuse Prevention Month – April 2010

The Clerk read the following Notice of Public Hearing that was scheduled for 9:15 a.m.

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

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

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Supervisors of Wayne County, State of New York, on Tuesday, April 20, 2010 at 9:15 a.m. in the Supervisors Chambers, Wayne County Courthouse, 26 Church Street, Lyons, New York, regarding the ANNUAL REVIEW PERIOD FOR INCLUSION OF LAND IN A CERTIFIED AGRICULTURAL DISTRICT. The hearing will be held to consider the recommendations of the Wayne County Agriculture and Farmland Protection Board and any proposed modifications to existing agricultural districts.

The following farmland property is proposed by the owners to be included in the existing Agricultural District No. 1 within the respective municipality:

<u>Tax ID Num</u>	<u>Municipality</u>	<u>Name</u>	<u>Acres</u>	<u>Parcel Location</u>
74120-00-533024	Huron	K. & R Kowalski	11.86	Dutch Street Rd.

A tax map illustrating the proposed district modifications and recommendations of the Wayne County Agriculture and Farmland Protection Board may be examined, during regular business hours, in the Wayne County Planning Department, Second Floor, 9 Pearl St., Lyons, N.Y. 14489 or on the County website www.co.wayne.ny.us/Departments/planningdept/planningdept.htm

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

For further information please call the Wayne County Planning Department at (315) 946-5919.

Dated: March 18, 2010
Lyons, New York

Sandra J. Sloane, Clerk
Wayne County Board of Supervisors

The Chairman opened the floor for public comment.

Ora Rothfuss, Wayne County Sr. Planner and Wayne County Ag Development Specialist addressed the Board to read the findings submitted by the Wayne County Agricultural Development and was available to answer questions.

After time was given for all interested people to be heard, Mr. Colacino moved, seconded by Mr. Plant, that the public hearing be closed. Upon roll call, carried.

PROCLAMATION OF APPRECIATION:

Supervisor William Hammond and Wayne County Real Property Tax Director, Shirley Bement, along with the Board, presented a Proclamation of Appreciation to Nelson Claeyson for his 38 years of dedication and service to the Wayne County Real Property Tax Services Department and the citizens of Wayne County.

Chairman Hoffman requested the Board to take a short recess at 9:32 a.m.

The Board resumed regular session at 9:37 a.m.

**RESOLUTION NO. 242-10: AUTHORIZATION TO PURCHASE PERSONAL
EMERGENCY RESPONSE SYSTEM UNITS**

Mr. Manktelow presented the following:

WHEREAS, the Wayne County Department of Aging and Youth currently provides

Personal Emergency Response System (PERS) units to 155 frail and elderly residents of Wayne County; and PERS units increase seniors' ability to remain safe and independent in their own homes and apartments and decrease the need for costlier institutional placements; and

WHEREAS, the demand for PERS units has risen over the past year and approximately ten seniors at any given time are eligible for units but the Department does not have enough units available; and the Department wishes to purchase ten additional units to serve seniors on the waiting list and five additional units for use as replacements and backups; and the required funds to purchase the additional 15 units are available through the special T-96 account. This account was created from donations from PERS recipients; now, therefore, be it

RESOLVED, that the Director of the Department of Aging and Youth is hereby authorized and directed to purchase 15 Linear 2400 personal emergency response units from Doyle Security, currently the exclusive supplier of PERS equipment to the Department of Aging and Youth, for a cost not to exceed \$5,220.

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

RESOLUTION NO. 243-10: AUTHORIZE AGREEMENT BETWEEN WAYNE COUNTY DEPARTMENT OF AGING AND YOUTH AND GROUP WORKCAMP FOUNDATION – 2010 WEEK OF HOPE PARTNER ORGANIZATION

Mr. Manktelow presented the following:

WHEREAS, the Group Work camps Foundation Week of Hope Partner Organization has been providing volunteers for service projects; and Wayne County Department of Aging and Youth desires to renew the agreement with Group Work Camps Foundation for volunteering services; and the department desires to utilize volunteers for minor home repair and landscaping projects for the elderly and recreation projects for youth for the summer of 2010; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign said agreement with Group Work Camps Foundation Week of Hope Partner Organization for the purpose of providing volunteers for service projects during the summer of 2010, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 244-10: AUTHORIZATION TO AMEND CONTRACT WITH NURSEFINDERS FOR THE WAYNE COUNTY NURSING HOME

Mr. Manktelow presented the following:

WHEREAS, Resolution No. 787-09 authorized a contract with Nursefinders for the services of agency nurses for the Wayne County Nursing Home as needed; and the Wayne County Nursing Home does utilize supervising RN's from Nursefinders as well as occasional overtime for agency staff as required; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized and directed to execute an amendment to the current contract on behalf of the Wayne County Nursing Home with Nursefinders to include the RN Specialty rate and overtime rates as follows:

RN Specialty	\$57.50 per hour	\$86.25 per hour overtime
RN	\$49.50 per hour	\$74.25 per hour overtime
LPN	\$39.50 per hour	\$59.25 per hour overtime

and be it further

RESOLVED, these rates are to be effective as of January 1, 2010 through December 31, 2010 subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 245-10: AUTHORIZATION FOR THE PURCHASE OF REPLACEMENT PHONES FOR WAYNE COUNTY NURSING HOME

Mr. Manktelow presented the following:

WHEREAS, the Wayne County Nursing Home and Wayne County IT Department have updated and evaluated the need for Resident Care phones for the 2010 year; and replacements for the current resident care phone system are no longer manufactured and only refurbished phones are available; and more phones have reached the end of their useful life; and the Wayne County Nursing Home and Wayne County IT determined that the purchase of 12 refurbished phones and batteries for the phones at a cost of \$3,498 would serve the Nursing Home and allow the nursing staff to continue to communicate with residents and each other; and

WHEREAS; the Wayne County Nursing Home has in the 2010 Budget the purchase of 5 new phones, for a total of \$3,500; now, therefore, be it

RESOLVED, that Wayne County Nursing Home 2010 Budget equipment addendum be amended to 12 refurbished phones & batteries; and the Wayne County IT Department is hereby authorized to purchase said equipment for the Wayne County Nursing Home.

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

RESOLUTION NO. 246-10: AUTHORIZING THE WAYNE COUNTY NURSING HOME TO CONTRACT WITH SIBLEY NURSING PERSONNEL SERVICES, INC.

Mr. Manktelow presented the following:

WHEREAS, the Wayne County Nursing Home still experiences licensed staff shortage from time to time; and the Wayne County Nursing Home is proposing to contract with Sibley Nursing Personnel Service, Inc., Geneva, New York for Registered Nurse and/or Licensed Practical Nurse services as needed effective April 1, 2010 to December 31, 2010; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute an agreement with Sibley Nursing Personnel Service, Inc., Geneva, New York on behalf of the Wayne County Nursing Home for Registered Nurse and Licensed Practical Nurse services effective April 1, 2010 to December 31, 2010 according to the rate schedule of

<u>Weekday Rate</u>	<u>Weekend Rate</u>
RN \$45.25 per hour	\$46.25 per hour
LPN \$32.45 per hour	\$34.00 per hour

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

Mr. Manktelow moved, seconded by Mr. Plant, that the resolution be amended to revise the last paragraph in the RESOLVED clause as follows:

Overtime for hours worked in excess of 40 hours in one week and work on holidays are paid at the rate of one-and one half times (1-1/2) the bill rate and subject to the County Attorney's approval as to form and content.

Motion carried.

Upon roll call to adopt the amended resolution. The Chairman declared the resolution adopted.

RESOLUTION NO. 247-10: AUTHORIZING TRANSFER OF LEAVE TIME FOR EMPLOYEE AT THE WAYNE COUNTY NURSING HOME

Mr. Manktelow presented the following:

WHEREAS, Sharon Denk, Sr. Clerk Typist, is in need of sick time due to medical issues; and the following employee at the Wayne County Nursing Home is willing to donate leave time to Sharon Denk:

Gerda Despaw – 15 hours

now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to transfer a total of 15 hours of leave time to Sharon Denk as sick leave; and be it further

RESOLVED, that in the event leave is not used it will not revert back to donor.

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

RESOLUTION NO. 248-10: AUTHORIZING THE FILING OF DBA CERTIFICATE FOR THE WAYNE COUNTY NURSING HOME OUTPATIENT THERAPY DEPARTMENT

Mr. Manktelow presented the following:

WHEREAS, the Wayne County Nursing Home has developed a marketing plan to improve its financial condition; and it has been determined many Wayne County residents are unaware of the broad range of outpatient therapy services available at the Wayne County Nursing Home; and in the interest of promoting the outpatient therapy services it would enhance the marketability to have a separate name for this service; now, therefore, be it

RESOLVED, that the Nursing Home Administrator is hereby authorized to prepare and file a certificate with the NY Department of State establishing the name of the Wayne County Wayne Physical Therapy; and be it further

RESOLVED, that any fee for filing said certificate be authorized and subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 249-10: AUTHORIZING AGREEMENT FOR CLINICAL LABORATORY SERVICES FOR THE WAYNE COUNTY NURSING HOME

Mr. Manktelow presented the following:

WHEREAS, the contract between the County of Wayne and ACM for the provision of lab services will terminate effective May 31, 2010 and the Wayne County Nursing Home recommends a contract with ViaHealth of Wayne Laboratories for the provision of lab services for the period June 1, 2010 to December 31, 2010; and the Nursing Home shall pay Contractor for clinical laboratory testing services performed for Nursing Home residents in accordance to the terms and conditions as set forth in the Medicare published fee schedule; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute the agreement with ViaHealth of Wayne Laboratories for the provision of lab services for the period June 1, 2010 to December 31, 2010 subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 250-10: AUTHORIZING CONTRACT FOR FURNISHING NURSING HOME CARE TO BENEFICIARIES OF THE VETERANS SERVICE ADMINISTRATION

Mr. Manktelow presented the following:

WHEREAS, the contract between the County of Wayne and the Veterans Service Administration for furnishing nursing home care services to beneficiaries of the Veterans Service Administration expires on May 31, 2010; and the Wayne County Nursing Home is renewing said contract for the period of June 1, 2010 - May 31, 2011 at no cost to the nursing home; now, therefore, be it

RESOLVED, Authorize the Chairman of the Wayne County Board of Supervisors to execute a Contract/Award for Furnishing Nursing Home Services to Beneficiaries of the

Veterans Administration at a per diem fee to be negotiated by the Administrator for the period June 1, 2010 to May 31, 2011.

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

RESOLUTION NO. 251-10: AUTHORIZATION TO CONTRACT WITH JACK VENESKY ASSOCIATES FOR FINANCIAL SERVICES IN HOME HEALTH AGENCY, PCA PROGRAM, AND DIAGNOSTIC TREATMENT & CLINIC FOR THE WAYNE COUNTY PUBLIC HEALTH DEPARTMENT

Mr. Manktelow presented the following:

WHEREAS, the Public Health Department is required to submit cost reports for the Home Health Agency, Personal Care Aid Program and Diagnostic Treatment & Clinic program; and these reports must be independently audited; and

WHEREAS, the Public Health Director wishes to contract with Jack Venesky Assoc. to provide cost reporting, auditing, consulting and support services for the period 8/1/10-7/31/13 in the amount of \$30,000 per year for three years; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract with Jack Venesky Associates for period 8/1/10-7/31/13 in the amount of \$30,000 per year to provide cost reporting, auditing, consulting and support services reports for the Home Health Agency, Personal Care Aid Program and Diagnostic Treatment & Clinic program.

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

RESOLUTION NO. 252-10: AUTHORIZATION TO DISPOSE OF EQUIPMENT FOR THE WAYNE COUNTY PUBLIC HEALTH DEPARTMENT

Mr. Manktelow presented the following:

WHEREAS, Wayne County Public Health (WCPH) wishes to dispose of the following non-repairable equipment:

- Kenmore Side –by- Side, white refrigerator, SN#55781

now, therefore, be it

RESOLVED, that the Director of Public Health and the Director of Building and Grounds are hereby authorized to dispose of one Kenmore Side-by-Side, white refrigerator, SN#55781 as per policy and procedure.

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

RESOLUTION NO. 253-10: AUTHORIZATION TO AMEND RESOLUTION NO. 259-09 TO EXECUTE CONTRACT WITH PROVIDERS FOR EARLY INTERVENTION SERVICES

Mr. Manktelow presented the following:

WHEREAS, the county is required to contract with approved providers of Early Intervention services or programs; and Matthew D. Strauss has received authorization from the New York State Department of Health (NYSDOH) to provide Speech Therapy services to Early Intervention clients and Wayne County Public Health wishes to contract with Mr. Strauss; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to execute a contract with Matthew D. Strauss, 222 Champion Avenue, Webster, NY 14580, at the per session rate established by NYSDOH for the period of April 1, 2010 till June 30, 2011, subject to the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 254-10: AUTHORIZATION TO AMEND RESOLUTION NO. 257-09 AUTHORIZING CONTRACT WITH PROVIDER OF RELATED SERVICES FOR

PRESCHOOL CHILDREN WITH HANDICAPPING CONDITIONS

Mr. Manktelow presented the following:

WHEREAS, the County must contract for the provision of related services for preschool aged children with handicapping conditions, pursuant to Section 4410 of the Education Law; and Matthew D. Strauss has received authorization from the New York State Department of Health (NYSDOH) to provide Speech Therapy and Wayne County Public Health (WCPH) wishes to contract with Mr. Strauss; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to execute a contract, subject to the approval of the County Attorney as to form and content, with Matthew D. Strauss, 222 Champion Ave., Webster, NY 14580, for Speech Therapy services for pre-school children with handicapping conditions for \$56 /.5hr for 2009-2010; \$57 /.5hr for 2010-2011 for the period of April 1, 2010 till June 30, 2011 in accordance with rates approved by the Health and Medical Services Committee of the Board of Supervisors.

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

RESOLUTION NO. 255-10: AUTHORIZATION TO RENEW INTERMUNICIPAL AGREEMENT BETWEEN MONROE, LIVINGSTON, STEUBEN, YATES, SCHUYLER, CHEMUNG, ONTARIO, WAYNE, AND SENECA FOR WAYNE COUNTY PUBLIC HEALTH

Mr. Manktelow presented the following:

WHEREAS, the Wayne County Public Health (WCPH) has the responsibility for planning and responding to all public health emergencies; and some public health problems may require public health services that exceed the capacities of WCPH; and the WCPH is desirous of renewing an intermunicipal agreement to provide mutual aid to each other during a public health emergency; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute the Intermunicipal Agreement between Monroe, Livingston, Steuben, Yates, Schuyler, Chemung, Ontario, Wayne and Seneca for the period of July 1, 2010 to June 30, 2015, with approval as to form and content from the County Attorney.

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

RESOLUTION NO. 256-10: AUTHORIZATION TO EXECUTE CONTRACT WITH THE REGIONAL COMMUNITY ASTHMA NETWORK OF THE FINGER LAKES AND WAYNE COUNTY PUBLIC HEALTH

Mr. Manktelow presented the following:

WHEREAS, Wayne County Public Health (WCPH) wishes to contract with the Regional Community Asthma Network (RCAN) of the Finger Lakes for services rendered as part of the NYSDOH Asthma Coalition funding through the American Lung Association of NY, Inc.; and WCPH agrees to coordinate and implement the following work plans: the RCAN care coordination and education model for improving asthma care for children in high-risk pediatric patients; and implement the Asthma Friendly Schools Initiative with one local school district; and

WHEREAS, WCPH will receive \$5,000.00 for the period of February 1, 2010 to November 30, 2010 to perform such duties; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract with RCAN, subject to the County Attorney's approval as to form and content, for the period of February 1, 2010 to November 30, 2010 for the amount of \$5,000 to coordinate and implement work plans for the RCAN care coordination and education model for improving asthma care for children in high-risk pediatric patients; and implement the Asthma Friendly Schools Initiative with one local school district.

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

RESOLUTION NO. 257-10: AUTHORIZATION TO EXECUTE CONTRACT WITH S²AY RURAL HEALTH NETWORK TO COORDINATE EMERGENCY PLANNING ACTIVITIES

Mr. Manktelow presented the following:

WHEREAS, Wayne County Public Health (WCPH) is a member of the S²AY Rural Health Network and in partnership with all counties in the Finger lakes Public Health Alliance (FLPHA), which includes Seneca, Schuyler, Yates, Ontario, Wayne, Chemung, Livingston, and Monroe; and

WHEREAS, WCPH wishes to maintain good communication and coordination of activities related to Emergency Public Health Planning and to the extent possible present consistent information to the public; and S²AY Rural Health Network will provide the following services for the cost of \$2,000.00 from October 1, 2009 till August 9, 2010:

- Assist Emergency Planners from FLPHA region to hold periodic meetings (frequency determined by the group). Send a S²AY staff member to attend the meetings who will serve as liaison between the Planners group and FLPHA Directors.
- Assist in coordinating emergency planning activities and communications between counties in the region.
- As needed, initiate weekly emergency planning activities survey regarding policies, procedures, supplies, etc. Provide a summary report for the subsequent week
- Initiate weekly surveillance survey, and provide a summary report for the subsequent week
- Assist counties in responding to any public health emergencies that develop
- Other duties as assigned by the FLPHA Directors as time and funding allow

now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract with the S²AY Rural Health Network on behalf of Wayne County Public Health at a cost not to exceed \$2,000.00 for the period of October 1, 2009 to August 9, 2010, subject to the approval of the County Attorney as to form and content to Assist Emergency Planners from FLPHA region to hold periodic meetings (frequency determined by the group). Send a S²AY staff member to attend the meetings who will serve as liaison between the Planners group and FLPHA Directors; Assist in coordinating emergency planning activities and communications between counties in the region; As needed, initiate weekly emergency planning activities survey regarding policies, procedures, supplies, etc. Provide a summary report for the subsequent week; Initiate weekly surveillance survey, and provide a summary report for the subsequent week; Assist counties in responding to any public health emergencies that develop; other duties as assigned by the FLPHA Directors as time and funding allow.

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

RESOLUTION NO. 258-10: AUTHORIZATION FOR WAYNE COUNTY PUBLIC HEALTH TO SUBMIT A WORKPLAN, BUDGET AND CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH'S LEAD POISONING PREVENTION PROGRAM

Mr. Manktelow presented the following:

WHEREAS, Wayne County Public Health (WCPH) wishes to renew its contract with the NYSDOH to support our Lead Poisoning Prevention Program efforts; and it is noted that this contract is for only six months for the period of April 1, 2010 to September 30, 2010 for the amount of \$14,239.00. A new five-year contract cycle will be released for October 1, 2010 to September 30, 2015; now, therefore, be it

RESOLVED, the Director of Public Health is hereby authorized to submit a workplan and budget for the period of April 1, 2010 to September 30, 2010; and be it further

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to

execute a contract with the NYSDOH Lead Poisoning Prevention Program for the period of April 1, 2010 to September 30, 2010 for the amount of \$14,239.00, with approval from the County Attorney as to content and form.

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

RESOLUTION NO. 259-10: AUTHORIZATION FOR PUBLIC HEALTH TO RENT BOOTH SPACE AT THE 2010 WAYNE COUNTY FAIR

Mr. Manktelow presented the following:

WHEREAS, Public Health has budgeted for the cost of space at the 2010 Wayne County Fair, August 9-14; and 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 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 one double-size booth at a cost not to exceed \$340.00 at the 2010 Wayne County Fair, August 9-14, 2010 to disseminate 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.

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

RESOLUTION NO. 260-10: AUTHORIZATION TO AMEND 2010 PUBLIC HEALTH SERVICES BUDGET

Mr. Manktelow presented the following:

WHEREAS, the Public Health Department will receive \$3,512.00 in COLA (cost of living adjustment) funds for the Migrant Program to be used for recruitment and retention of staff or other critical non-personal service costs, and there is a need for supplies for the education of pregnant migrant women on providing general infant care, breast feeding and temperature control; and the Health Department wishes to use \$600.00 of this funding to provide educational starter kits to such women; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to amend the 2010 budget as follows:

A4011-PUBLIC HEALTH SERVICES:

\$600.00 to .54634 Migrant Nurse Program

\$600.00 to .44630 Migrant Grant

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

RESOLUTION NO. 261-10: AUTHORIZATION TO AMEND EARLY INTERVENTION BUDGET

Mr. Manktelow presented the following:

WHEREAS, the Early Intervention Stimulus Award allows for the purchase of storage shelving units; and the cost of this unit increased since the 2010 budget was prepared and the 2010 budget line 40162.52200 needs to be increased by \$12.00 to cover the costs; now, therefore, be it

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

A4016-PH-EARLY INTERVENTION 0-1:

\$12.00 from .52300 Motor Vehicles

\$12.00 to .52200 Office Equipment

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

RESOLUTION NO. 262-10: AUTHORIZATION TO AMEND 2010 PUBLIC HEALTH BUDGET AND PURCHASE HOMELAND SECURITY EQUIPMENT

Mr. Manktelow presented the following:

WHEREAS, Resolution No. 895-09 authorized the purchase of three Medtronic defibrillators capable of serving pediatric and adult populations, to be placed in the E-911 Office, Emergency Preparedness Office and Public Health Department; and funding approval was delayed so purchasing could not take in 2009 as anticipated; and the Public Health Department wishes to purchase the defibrillators and wall cases to support them; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized and directed to purchase 3 Medtronic defibrillators capable of serving pediatric and adult populations, to be placed in the E-911 Office, Emergency Preparedness Office and Public Health Department at a cost not to exceed \$6,150.00 for 3 defibrillators and \$693.60 for cases; and be it further

RESOLVED that the Wayne County Treasurer is hereby authorized and directed to amend to 2010 budget as follows:

A4011-PUBLIC HEALTH SERVICE:

\$6,843.60 to .52200 Office Equipment

\$6,843.60 to .44638 Bioterrorism

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

RESOLUTION NO. 263-10: AUTHORIZATION TO EXECUTE THE HOME HEALTH AIDE TRAINING AGREEMENT WITH GENESEE REGION HOME CARE OF ONTARIO COUNTY

Mr. Manktelow presented the following:

WHEREAS, Wayne County Public Health (WCPH) has recently received approval to hire three part-time home health aides for the certified home health agency; and these home health aides will need yearly updated educational in-services or training that Genesee Region Home Care of Ontario County is willing to provide at the following rates:

- o Home Health Aide Training \$450.00 per student
- o Home Health Aide Competency \$275.00 per person Evaluation
- o Nurse Aide (CNA) Transitioning \$275.00 per person
- o 9 – Hour In-service \$175.00 per person

now, therefore, be it

RESOLVED, that the Chairman of the Board is hereby authorized to sign the Home Health Aide Training Agreement with Genesee Region Home Care of Ontario County for the period of January 1, 2010 to December 31, 2010, with approval from the County Attorney as to form and content to provide home health aides with yearly updated educational in-services or training at the following rates:

- o Home Health Aide Training \$450.00 per student
- o Home Health Aide Competency \$275.00 per person
- o Evaluation
- o Nurse Aide (CNA) Transitioning \$275.00 per person
- o 9 – Hour In-service \$175.00 per person

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

RESOLUTION NO. 264-10: AUTHORIZATION TO SUBMIT WORKPLAN AND BUDGET AND EXECUTE CONTRACT WITH THE NEW YORK STATE DEPARTMENT HEALTH MIGRANT HEALTH PROGRAM FOR THE PERIOD OF APRIL 1, 2010 TO MARCH 31, 2011

Mr. Manktelow presented the following:

WHEREAS, Wayne County Public Health (WCPH) provides comprehensive medical services and case management to the migrant population within Wayne County; and WCPH wishes to submit a workplan and budget to the New York State Department of Health (NYSDOH) Migrant Health Program for the period of April 1, 2010 to March 31, 2011 for the amount of \$43,785; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to submit a workplan and budget to the NYSDOH Migrant Health program for the period of April 1, 2010 to March 31, 2011; and that the Chairman of the Board of Supervisors is hereby authorized to execute a contract with the NYSDOH Migrant Health Program on behalf of WCPH for the period of April 1, 2010 to March 31, 2011 for the amount of \$43,785, with the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 265-10: AUTHORIZATION TO DECLARE VEHICLES AS SURPLUS FOR WAYNE COUNTY PUBLIC HEALTH

Mr. Manktelow presented the following:

WHEREAS, the Wayne County Public Health Department vehicle # 83 a 2001 blue Dodge Neon VIN#1P3ES46CX1D186505, and vehicle #66 a 2001 blue Chevy Cavalier VIN#1G1JC524X17420309 and vehicle #81 a sand Chevy Cavalier VIN#1G1JC524117419307 are in need of being classified as surplus; and the county garage has evaluated the vehicles for serviceability and they were deemed unserviceable; now, therefore, be it

RESOLVED, that the vehicles vehicle # 83 a 2001 blue Dodge Neon VIN#1P3ES46CX1D186505, and vehicle #66 a 2001 blue Chevy Cavalier VIN#1G1JC524X17420309 and vehicle #81 a sand Chevy Cavalier VIN#1G1JC524117419307 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. Hammond moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, adopted.

Mr. Manktelow pulled the following Resolution Transmittal from today's agenda: #6-23 *Authorization to Amend Resolution No. 521-09 to Include a New Transportation Route for Children of Preschool Age with Physically Handicapping Conditions.*

RESOLUTION NO. 266-10: AUTHORIZATION TO TRANSFER 2010 BUDGET FUNDS FOR MARKETING FOR THE WAYNE COUNTY NURSING HOME

Mr. Manktelow presented the following:

WHEREAS, the contract Hospital Screener position for the Wayne County Nursing Home has been eliminated; and it has been determined that the remaining 2010 funds budgeted for the hospital screener position would be better utilized for marketing the services provided by the Wayne County Nursing Home; now, therefore, be it

RESOLVED to transfer funds within the 2010 nursing home budget for the purpose of marketing the services provided by the Wayne County Nursing Home as follows:

Decrease:

E60004-54860-E7330 by \$31,040

Increase:

E60004-54923-E8350 by \$31,040

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

Mr. Manktelow moved, seconded by Mr. Plant, that the resolution be amended to add the last RESOLVED clause as follows:
and be it further

RESOLVED, that prior to expending any funds for marketing services referenced herein, the Nursing Home Administrator shall present a plan for those services to the Board of Supervisors for approval.

Motion carried.

Upon roll call to adopt the amended resolution. The Chairman declared the resolution adopted.

RESOLUTION NO. 267-10: AUTHORIZATION TO REASSIGN COMMUNICATION EQUIPMENT FOR WAYNE COUNTY EMPLOYEES

Mr. Manktelow presented the following:

WHEREAS, there is a need to provide certain employees cell communication utilizing the BlackBerry™ technology for an improved interaction link among co-workers and by way of instant access to emails and schedules; and the use of a BlackBerry™ communication device would eliminate the need for two devices, a cell phone and palm pilot, with the combination of services that the Blackberry provides; and

WHEREAS, that the Superintendent of Buildings and Grounds has been authorized to purchase BlackBerry™Plans for a monthly fee of \$49.99 with a 400 minute phone plan; and one (1) of the assigned BlackBerry devices has been turned in to the Superintendent of Buildings and Grounds; now, therefore, be it

RESOLVED, that this one BlackBerry device be assigned to Elizabeth Kanauer; and that the Wayne County Nursing Home be charged the \$49.99 monthly cost.

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

RESOLUTION NO. 268-10: AUTHORIZATION TO SUBMIT WORKPLAN AND BUDGET AND CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH'S BUREAU OF IMMUNIZATION

Mr. Manktelow presented the following:

WHEREAS, Wayne County Public Health (WCPH) provides immunization to children and adults to reduce vaccine preventable diseases; and WCPH wishes to renew the contract with the New York State Department of Health Bureau of Immunization to provide this service for the period of April 1, 2010 to March 31, 2011 for the amount of \$46,745; now, therefore, be it

RESOLVED, the Director of Public Health is hereby authorized to submit a workplan and budget to the NYSDOH Bureau of Immunization for the period of April 1, 2010 to March 31, 2011; and be it further

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to execute a contract with the NYSDOH Bureau of Immunization for the period of April 1, 2010 to March 31, 2011 for the amount of \$46,745, with the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 269-10: AUTHORIZATION FOR THE WAYNE COUNTY BOARD OF ELECTIONS TO PURCHASE ADDITIONAL IMAGECAST SCANNER VOTING MACHINES AND COVERS

Mr. Lauderdale presented the following:

WHEREAS, the Wayne County Board of Elections currently has HAVA grant funds of \$505,323.46; and numerous counties across New York State were involved in the voting pilot program utilizing the new ImageCast optical scan voting machines in both the September Primary and General election of 2009; and

WHEREAS, the results compiled from that statewide pilot program were reviewed by the Wayne County Board of Elections and resulted in a review of our original plans for

utilizing the new optical scan voting equipment in our county; and to facilitate an orderly and efficient process for the voters in our county, we have revised the number of machines required to accommodate voters in the election districts of various Towns; now, therefore, be it

RESOLVED, that the Board of Elections is authorized to purchase an additional (10) ten ImageCast voting machines from Dominion at \$7,200.00 per unit, plus \$250.00 for shipping per unit; and (18) eighteen protective covers at \$50.00 per cover for a total cost of \$75,400.00 with a 5% co-pay of \$3,770.00 by Wayne County; and be it further

RESOLVED, the County Treasurer is directed to amend the 2010 County Budget as follows:

A1450-BOARD OF ELECTIONS:

\$3,770.00 to .52500 Other Equipment

A1990-CONTINGENT FUND GEN:

\$3,770.00 from .54000 Contractual Expense

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

RESOLUTION NO. 270-10: AUTHORIZING NEW PAY RATE FOR VOTING MACHINE CUSTODIANS

Mr. Lauderdale presented the following:

WHEREAS, the voting machine custodian's pay is \$50/machine/custodian/election plus mileage and that two custodians are required, one Republican and one Democrat; and the custodians job has changed due to the discontinued use of the lever voting machines and the introduction of the Image Cast voting machine; and the new job duties do not require (2) custodians, one from each political party, to prepare (program) the voting machines at the polling site because the new voting machines are set up at the County voting machine facility and are sealed prior to delivery to the polling site; and

WHEREAS, the new duties of a custodian are to be present for the delivery and pick up of the voting machines and other election equipment at the polling site and to set up and arrange the furniture and voting equipment at the site for the election and then to take down the same after the election; now, therefore, be it

RESOLVED, that a custodian's pay be \$50/election district/election plus mileage; and be it further

RESOLVED, that only one custodian will be hired per district.

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

RESOLUTION NO. 271-10: AUTHORIZATION FOR BOARD OF ELECTIONS TO TRANSFER LEVER VOTING MACHINES

Mr. Lauderdale presented the following:

WHEREAS, the ImageCast optical scan voting machine has been certified for use by the New York State Board of Elections; and the former Lever voting machine is no longer able to be utilized by the Wayne County Board of Elections for those elections conducted by it; and various public entities, ex.: schools, fire department, have requested the use of the Lever voting machines for the conduct of their elections; now, therefore, be it

RESOLVED, that the Wayne County Board of Elections is authorized to transfer ownership of such Lever voting machines to those public entities that request them with the understanding that such public entities are thereby responsible for the transport, maintenance, and expense of the machines they take possession of from the Board of Elections.

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

RESOLUTION NO. 272-10: AUTHORIZATION TO PROCESS PAYMENT TO NTS DATA

SERVICES FOR MAIL CHECK PROCESSING FOR BOARD OF ELECTIONS

Mr. Lauderdale presented the following:

WHEREAS, a postcard must be sent to each active voter (approximately 54,000) to verify information in regard to voting; and NTS Data Services is capable of processing these cards more efficiently, by sorting and bar coding to postal standards, resulting in lower postal expense; and cards cannot be sent until the postage check is received by NTS Data Services, the amount for the postage will have to be processed a month earlier to comply with the county payment process; now, therefore, be it

RESOLVED, that the Wayne County Board of Elections is authorized to process payment to NTS Data Services for said services at a cost not to exceed \$5,000.00 to be expended from Account No. A1450.4421 (Election Expense) plus payment to US Postal Service for postage at a cost not to exceed \$16,000.00 to be expended from Account No. A1450.4166 (Postage Expense).

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

RESOLUTION NO. 273-10: AUTHORIZATION TO AMEND BUSINESS ASSOCIATE AGREEMENTS WITH CONTRACTORS WITHIN THE VARIOUS COUNTY DEPARTMENTS

Mr. Lauderdale presented the following:

WHEREAS, As a result in changes in the Federal Law regarding HIPPA, the County must amend all Business Associate's Agreements within the various departments; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute amended Business Associate's Agreements with Contractors within the various County departments.

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

RESOLUTION NO. 274-10: AUTHORIZE REQUEST FOR PROPOSALS FOR PROFESSIONAL NEGOTIATOR

Mr. Lauderdale presented the following:

WHEREAS, the Collective Bargaining Agreement with Civil Service Employees Association, Inc. Wayne County General Employees is due to expire on December 31, 2010; and the Collective Bargaining Agreement with Civil Service Employees Association, Inc. Wayne County Supervisory Unit is due to expire on December 31, 2010; and

WHEREAS, the Collective Bargaining Agreement with Professional Service Workers, Local 81382 is due to expire on December 31, 2010; and the Collective Bargaining Agreement with Sheriff's Police Officers' Association is due to expire on December 31, 2010; and

WHEREAS, the County of Wayne contemplates entering into negotiations later this year with said Unions regarding each of these Collective Bargaining Agreements; and the County of Wayne deems it would be appropriate to have one or more professional negotiators represent the County of Wayne regarding these negotiations; now, therefore, be it

RESOLVED, that the Human Resource Director be authorized and directed to issue a Request For Proposal (RFP) for professional negotiators regarding the contract negotiations between the County of Wayne and the above mentioned Unions, subject to the County Attorney's approval as to form and content; and be it further

RESOLVED, that said Request For Proposal will contain language that will indicate that the County may select different negotiators to represent the County of Wayne regarding each of the above mentioned negotiations.

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

RESOLUTION NO. 275-10: AUTHORIZATION TO SUPPORT ASSEMBLY BILL A-9919 TO ALLOW WAYNE COUNTY TO RETAIN A SHARE OF FEES COLLECTED FROM COUNTY RESIDENTS FOR MOTOR VEHICLE TRANSACTIONS

Mr. Lauderdale presented the following:

WHEREAS, the New York State Vehicle and Traffic Law places the responsibility of operating Department of Motor Vehicle offices to 51 Counties across New York State through their respective County Clerk; and acting as an "agent" of the New York State Department of Motor Vehicles, our county taxpayers bear the cost of running local Department of Motor Vehicle operations; and

WHEREAS, our current share of certain transaction fees is 12.7%, available only if a customer appears in person; and numerous transactions we are required to perform are time consuming, labor intensive and New York State does not allow the County any fee; and

WHEREAS, we are often competing with the New York State Department of Motor Vehicles for limited business in order to sustain our operations; and the Commissioner of Motor Vehicles has advised the New York State Association of County Clerks that 35 online transactions are currently available for customers via the NYS DMV website www.nydmv.state.ny.us and more online transactions can be expected in the near future leaving the County with even fewer revenue sharing opportunities; now, therefore, be it

RESOLVED, the Wayne County Board of Supervisors support Assembly Bill A-9919, allowing County Clerks who operate DMV offices to retain a share of fees collected from County residents for motor vehicle transactions completed through the New York State DMV website; and be it further

RESOLVED, the Clerk of this legislative body be hereby directed to transmit copies of this resolution to Governor David A. Paterson, State Senator Michael Nozzolio and Assemblyman Robert Oaks.

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

RESOLUTION NO. 276-10: AUTHORIZATION TO EXECUTE CONTRACT RENEWAL FOR MICROFILM UNITS MAINTENANCE CONTRACT FOR WAYNE COUNTY HISTORIAN

Mr. Lauderdale presented the following:

WHEREAS, the Office of the County Historian has (1) Canon MS400 and FP 400 and AC100R microfilm reader, scanner and printing systems and (1) Canon MP90 and RCF200 microfilm reader, scanner and printing system; and these systems has been maintained through contract for many years by Biel's Information Technology Systems; now, therefore, be it

RESOLVED, that a contract renewal is hereby authorized at a cost not to exceed \$1,920 from budget account A75104.54424 per quote from Biel's; and be it further

RESOLVED, that the Chairman of the Board is hereby authorized to execute this contract upon appropriate review by the Office of the County Attorney.

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

Mr. Spickerman pulled the following resolution transmittal from today's agenda: # 4-1: Authorize Joint Municipal Improvement Project for the Town of Arcadia, in Partnership with the Town of Lyons and the Village of Newark.

RESOLUTION NO. 277-10: AUTHORIZING APPOINTMENTS TO THE WATS ADVISORY BOARD

Mr. Spickerman presented the following:

RESOLVED, that at the request of the WATS Advisory Board, the following individuals are hereby recommended to the WATS Advisory Board and submitted to the Board of Supervisors for their approval:

Penny Shockley, Chair, Aging & Youth	Lynne Green, Palmyra Town Clerk
Sue Bacon, Vice Chair, Dept of Social Services	Ken Lauderdale, Town of Savannah
Nancy Sieling, Secretary, WATS	Josh McCrossen, Dept of Social Services
Michael Jankowski, Commissioner	Becky Ortiz, Wayne Behavioral Health
Jody Bender, Town of Marion	Joslyn VanGelder, Fingerlakes Works
Jodie Daniels, Workforce Development	Kyra Yon, Wayne County Action Program
Antje Dirksen-Post, WC Citizen	

Mr. Kelsch moved the adoption of the resolution. Seconded by Mr. Lauderdale. Upon roll call, all Supervisors voted Aye, except Supervisors Crane, Miller, Collier, LeRoy and Park who were absent. Supervisor Bender abstained from voting. The Chairman declared the Resolution adopted.

RESOLUTION NO. 278-10: DISAPPROVE APPLICATION TO ENROLL PROPERTY IN WAYNE COUNTY AGRICULTURAL DISTRICT NO. 1

Mr. Spickerman presented the following:

WHEREAS, the New York State Agriculture and Markets Law 303-b allows landowners to apply to the Board of Supervisors for inclusion of predominantly viable agricultural land into certified agricultural districts prior to the County established eight year review period; and the landowners of the parcel number 74120-00-533024 have submitted a request to include their land in the Wayne County certified agricultural district; and

WHEREAS, a thorough review of the soil components of parcel 74120-00-533024 revealed that it consists of 47.1% Prime soils and soils of Statewide Importance; and previous properties applying for inclusion in the County's Agricultural District during the annual open enrollment period have averaged over 80% Prime soils and soils of Statewide Importance; and

WHEREAS, the farm must have a minimum of ten horses to be considered a "farm operation" under Agriculture and Markets Law 25AA; and based upon information supplied by the landowner, the farm does not meet the threshold established by Agriculture and Markets Law 25AA; and

WHEREAS, the Wayne County Agricultural Development Board reviewed and recommended disapproval of this request for inclusion of parcel 74120-00-533024 in Agricultural District Number 1; and the Board of Supervisors has conducted the required public hearing and has considered the recommendation of the Agricultural Development Board; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors concurs with the recommendation of the Agricultural Development Board and disapproves the request to include parcel 74120-00-533024 in Agricultural District Number 1.

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

RESOLUTION NO. 279-10: REAPPOINTMENT TO WESTERN FINGER LAKES SOLID WASTE MANAGEMENT AUTHORITY

Mr. Spickerman presented the following:

RESOLVED, that the following person is reappointed to the Western Finger Lakes Solid Waste Management Authority for a term of office effective immediately and expiring December 31, 2012:

Robert Weichbrodt
6328 Shaker Tract Road
North Rose, NY 14516

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

RESOLUTION NO. 280-10: RESOLUTION AUTHORIZING FOR GRANT APPLICATION FOR SMALL CITIES PROGRAM - CANDY APPLE DAY CARE

Mr. Spickerman presented the following:

WHEREAS, the New York State Office of Community Renewal has solicited proposals from municipalities under the 2010 Annual Competitive Round of the Small Cities Care program; and

WHEREAS, the deadline for filing the 2010 application is April 23, 2010; and

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

WHEREAS, Wayne County has held both the general hearing and a specific hearing regarding an interest in filing an application under the 2010 Annual Competitive Round for development of a facility in the Village of Newark to house Candy Apple Day Care; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorizes the Chairman of the Board to submit a 2010 Small Cities application for \$750,000; and be it further

RESOLVED, that the Chair is authorized to enter into a sub recipient agreement with the Wayne County IDA to manage the funds as a grant for the building of the day care which provides services for the workforce at numerous companies in the high density area of Newark, along with all other necessary agreements to further the project.

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

RESOLUTION NO. 281-10: AUTHORIZE AUTHORIZATION TO RESERVE A BOOTH AT THE WAYNE COUNTY FAIR

Mr. Spickerman presented the following:

RESOLVED, the Director of Tourism and Promotion is hereby authorized to reserve space at the Wayne County Fair, to share information regarding the travel and tourism industry with fair attendees at a cost not to exceed \$200.00, to be expended from Account A64104.54434 (Publicity-Info Centers).

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

RESOLUTION NO. 282-10: AUTHORIZATION DECLARE EQUIPMENT SURPLUS FOR TOURISM/HISTORIAN OFFICE

Mr. Spickerman presented the following:

RESOLVED, that the Director of Tourism is hereby authorized to declare the following office equipment surplus and dispose of according to county policy:

1 – Copier Canon Imagerunner 330s

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

RESOLUTION NO. 283-10: AUTHORIZATION TO ABOLISH A BUILDING MAINTENANCE MECHANIC POSITION AND CREATE A MAINTENANCE MECHANIC POSITION IN THE BUILDINGS AND GROUNDS DEPARTMENT

Mr. Spickerman presented the following:

WHEREAS, the current Working Forman position in the Parks Department has been voluntarily vacated; and

WHEREAS, a current Building Maintenance Mechanic within Buildings and Grounds having seniority wishes to assume the position of Working Forman in the Parks Department; and

WHEREAS, a Maintenance Mechanic position is needed to work on a wide range of facilities and equipment within the parks department; now, therefore, be it

RESOLVED, that effective April 20, 2010, one (1) Building Maintenance Mechanic position is hereby abolished and one (1) Maintenance Mechanic position created in the Buildings and Grounds Department; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to fill the newly created position of Maintenance Mechanic from within the Buildings and Grounds Department.

Mr. Kelsch moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, all Supervisors voted Aye. Absent – Supervisors Crane, Miller, Collier, LeRoy and Park. The Chairman declared the Resolution adopted.

RESOLUTION NO. 284-10: AUTHORIZATION TO CONTRACT WITH SWBR FOR DESIGN AND BUILDING PERMIT APPLICATION SERVICES

Mr. Spickerman presented the following:

WHEREAS, The Unified Court System of the State of New York, has requested an office change in the Hall of Justice to relocate an existing Attorney Lounge; and the change would require a Building Permit from the New York State, Department of Labor, Division of Codes; and

WHEREAS, said building permit would require a set of plans and specifications prepared by a licensed architect; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an agreement, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with SWBR Architects, for the provision of architectural design and Building Permit Application services for the relocation of the Attorney Lounge on the third floor of the Hall of Justice; and be it further

RESOLVED, that the fee for said services shall be in the amount of \$2,500.00, to be paid from the B&G 2010 Budget.

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

RESOLUTION NO. 285-10: AUTHORIZATION TO DECLARE BUILDINGS AND GROUNDS EQUIPMENT AND VEHICLES SURPLUS

Mr. Spickerman presented the following:

WHEREAS, each year the Wayne County Buildings and Grounds Dept. has surplus vehicles and equipment that is no longer needed; and the annual municipal equipment auction held in Palmyra will auction the surplus vehicles and equipment at a reasonable price; now, therefore, be it

RESOLVED, that the following list of vehicles and equipment that is no longer of use by the Wayne County Buildings and Grounds Dept. be declared surplus and authorize their sale at the annual auction of municipal equipment at the Palmyra Town Highway Department on Saturday, May 8, 2010; and be it further

RESOLVED, that the proceeds from the sale of said surplus be deposited back into the general fund account.

230 KW Onan Generator /Cummins Diesel 400hp Motor - SN # 0471266688

1960 Ford Tractor Model #601 Eng. Block - #310905

1981 John Deere Tractor Diesel Model # 401B - VIN# 401BD370193T

1996 Chevy Pick Up 4X4 Crew Cab with Plow - VIN# 1GCHK33R5TF014793

1997 Dodge Suburban Van - VIN# 2B4HB15X0VK556997

1998 Chevy Pick Up 4X4 with Plow - VIN# 1GCGC24R6WE211130

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

RESOLUTION NO. 286-10: AUTHORIZATION TO ACCEPT LOW BID FOR CONCRETE GUTTERS AND SIDEWALKS FOR THE WAYNE COUNTY HIGHWAY DEPARTMENT'S KNICKERBOCKER ROAD PROJECT AND AMEND BUDGET

Mr. Spickerman presented the following:

WHEREAS, the Wayne County Highway Department is currently constructing roadway improvements on Knickerbocker Road in the Town of Ontario and will require a specialized subcontractor to install concrete gutters and the Town of Ontario wishes to have new concrete sidewalks installed by the same subcontractor and will reimburse the County for the cost associated with the sidewalk installation (approximately \$52,500); and

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for concrete gutters and sidewalks for the Knickerbocker Road Project (D51122.52632) for the County Highway Department, and the bids were opened on Wednesday, March 10, 2010 at 10:00 a.m. and the following bids were received:

	<u>L.F Price for Gutters</u>	<u>L.F. Price</u>
<u>for Sidewalks</u>		
E.J. Militello Concrete, Inc.	\$7.35	\$8.75
Hynes Concrete Contractor	\$7.50	\$9.00
SyrStone, Inc.	\$9.40	\$9.50
Concrete Slipform, Inc.	\$5.00	\$9.00
Sgarlata Concrete	\$9.75	\$13.20
Campobello	\$16.00	\$15.00
CVF Inc.	\$7.20	\$11.00

now, therefore, be it

RESOLVED, that the bid submitted by Concrete Slipform, Inc. of Canastota, NY in the bid price of \$ 5.00 per linear foot for gutters and the bid price of \$ 9.00 per linear foot for sidewalks in accordance with the specifications, is hereby accepted; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with Concrete Slipform, Inc. in accordance with the bid acceptance; 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 the Town of Ontario; and be it further

RESOLVED, that the Wayne County Treasurer is hereby to amend the 2010 County Budget as follows:

D5112-ROAD CONSTRUCTION:

\$52,500 to .52632 Knickerbocker Road Project

D9999-OTHER:

\$52,500 to .42653 Miscellaneous Road Participation Payments

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

Mr. Spickerman pulled the following resolution transmittal from today's agenda: No 3-5: Authorization to Accept Low Bid for One (1) 2010 or Newer Rubber Tired Excavator and Mower for the Wayne County Highway Department

RESOLUTION NO. 287-10: AUTHORIZATION TO SET HOURLY WAGE FOR HERBICIDE APPLICATOR FOR HIGHWAY DEPARTMENT

Mr. Spickerman presented the following:

WHEREAS, herbicides are applied to county roads in guide rail areas, around sign posts, and near bridge abutments where mowing cannot reach; and Andrew Michaelson is a commercial herbicide applicator; and

WHEREAS, he is duly certified by the New York State Department of Environmental Conservation to spray county roads for Wayne County; now, therefore, be it

RESOLVED, that the hourly wage of the temporary Herbicide Applicator for the Highway Department is set at \$32.00 per hour, not to exceed 200 hours; and be further

RESOLVED, this service is available to any Wayne County municipality on a time and material basis, at which time, the cost will be made available upon request.

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, all Supervisors voted Aye. Absent – Supervisors Crane, Miller, Collier, LeRoy and Park. The Chairman declared the Resolution adopted.

RESOLUTION NO. 288-10: DECLARE VEHICLES AND EQUIPMENT SURPLUS AND AUTHORIZE SALE OF VEHICLES AT MUNICIPAL AUCTION

Mr. Spickerman presented the following:

WHEREAS, each year the Wayne County Highway has surplus vehicles and equipment that is no longer needed; and the annual municipal equipment auction held in Palmyra will auction the surplus vehicles and equipment for a reasonable fee; now, therefore, be it

RESOLVED, that the following list of vehicles and equipment is no longer of use by Wayne County Highway and hereby declared surplus and are to be sold at the annual auction of municipal equipment at the Palmyra Town Highway Department on Saturday, May 8, 2010:

1999 Mack Tandem Axle Dump Truck – Vin # 1M2P264CXXM027785

1999 Mack Tandem Axle Dump Truck - Vin # 1M2P264C1XM027786

1996 Ford Single Axle Dump Truck – Vin # 1FDYK90L0TVA30131

1991 Ford Pickup Red – Vin # 2FTJW35H1MCA80247

1986 Partner K-650 Demo Saw

Small Gas Powered Cement Mixer

8' 3 Point Hitch York Rake

1,000 Gallon Poly Water Tank

Laplant Sheeps Foot Roller (Pull Type)

1987 Ford Tractor BB41791 – to be determined

1987 Ford Tractor BB41790 – to be determined

and be it further

RESOLVED, that the proceeds from the sale of the aforementioned highway equipment, shall be deposited into the Machinery Revenue Fund Account DM99990.42655:

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

RESOLUTION NO. 289-10: AUTHORIZATION TO ENTER AGREEMENT WITH THE TOWN OF PALMYRA FOR ROAD SIDE MOWING

Mr. Spickerman presented the following:

WHEREAS, the Town of Palmyra has expressed interest in providing roadside mowing services on county roadways in the Town of Palmyra as they have done in the past several years; and the roadside mowing in Palmyra benefits the town and county; and

WHEREAS, the Town of Palmyra does 4 complete mowings on Wayne County roads within the Town of Palmyra with a total of 23.8 miles; 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 the Town of Palmyra for mowing county road sides located in the town at a rate of \$215.00 per mile for the 2010 season.

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

RESOLUTION NO. 290-10: AUTHORIZATION TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH FRA ENGINEERS FOR THE CONSTRUCTION ADMINISTRATION SERVICES FOR THE RIDGE ROAD REHABILITATION STIMULUS PROJECT

Mr. Spickerman presented the following:

WHEREAS, the Ridge Road Rehabilitation Project is funded with Stimulus Funds; and the Federal Regulations require full-time construction inspection to document the contractor's work; and

WHEREAS, the NYSDOT has performed the consultant selection process for all of the projects within the Region and FRA Engineers was selected to inspect these projects; and FRA Engineers has provided a not-to-exceed fee of \$19,350 for the Ridge Road Rehabilitation Project; and

WHEREAS, the project budgets currently have enough funds to include the Construction Inspection costs; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a supplemental agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with FRA Engineers for the Construction Administration Services for the replacement of the Ridge Road Rehabilitation Stimulus Project.

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

RESOLUTION NO. 291-10: AUTHORIZATION TO DECLARE VEHICLES SURPLUS AND REQUEST SURPLUS VEHICLES FOR THE WAYNE COUNTY HIGHWAY DEPARTMENT AND CENTRAL GARAGE

Mr. Spickerman presented the following:

WHEREAS, the following vehicles are no longer of use by the Wayne County Highway Department and Central Garage:

1993 Dodge – Green	Vin No. 1B3XP28DXPN666374 (Highway)
1998 Chevy Caviler – Blue	Vin No. 1G1JC5245N7277616 (Central Garage)

now, therefore be it

RESOLVED, that the vehicles listed above are hereby declared surplus and moved to Central Garage in accordance with the Surplus Vehicle Disposition Procedure outlined in Resolution No. 128-09; and be it further

RESOLVED, that the following vehicles, being declared surplus by Wayne County Public Health be transferred as follows:

Wayne County Highway Department:

2001 – Dodge Neon-Blue	Vin No. 1P3ES46CX1D186505
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Central Garage:

2001 – Chevy Caviler-Blue	Vin No. 1G1JC524X17420309
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Mr. Groat moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, adopted.

RESOLUTION NO. 292-10: AUTHORIZE SALE OF VEHICLES AT MUNICIPAL AUCTION

Mr. Spickerman presented the following:

WHEREAS, each year the Wayne County has surplus vehicles that are no longer needed; and there is a municipal equipment auction held in Palmyra, New York that will auction the vehicles to the public for a reasonable fee to the County; now, therefore, be it

RESOLVED, that the following is a list of surplus vehicles at the Wayne County Central Garage and hereby are to be sold at the annual auction of municipal equipment at the Palmyra Town Highway Department on Saturday, May 8, 2010:

1998 Chevy Caviler Vin # 1G1JC5245W7277616	
1999 Ford Crown Vic	Vin # 2FAFP71W5XX115731
1999 Ford Crown Vic	Vin # 2FAFP71WXXX196953
2000 Ford Crown Vic	Vin # 2FAFP71W7YX166603
2000 Ford Crown Vic	Vin # 2FAPF71WXYX111787
2000 Ford Crown Vic	Vin # 2FAFP71W2XY166251
2000 Ford Crown Vic	Vin # 2FAFP71W4YX166249

2000 Ford Crown Vic	Vin # 2FAFP71W6YX166253
2000 Chrysler Van	Vin # 2C4GJ25R8YR666801
2001 Ford Crown Vic	Vin # 2FAFP71W81X179558
2001 Chevy Cavalier	Vin # 1G1JC524117419307
2001 Ford Crown Vic	Vin # 2FAFP71W81X179561
2001 Ford Crown Vic	Vin # 2FAFP71WX1X179559
2003 Ford Crown Vic	Vin # 2FAFP71W23X121822
2003 Ford Crown Vic	Vin # 2FAHP71W43X208047
2003 Ford Crown Vic	Vin # 2FAFP71W03X121821
2003 Ford Crown Vic	Vin # 2FAHP71W23X208046
2007 Ford Crown Vic	Vin # 2FAHP71W17X151425

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

RESOLUTION NO. 293-10: AUTHORIZATION TO MODIFY ADDENDUM TO 2010 HIGHWAY MACHINERY BUDGET FOR EQUIPMENT PURCHASES

Mr. Spickerman presented the following:

WHEREAS, the 2010 Highway Machinery Budget addendum includes funds for the purchase of a 10 wheeled dump truck at the proposed cost of \$125,000; and there is a more urgent need to replace two open-cab roadside mowing tractors and mowers due to their poor condition; and

WHEREAS, the mowing tractors were listed on the Highway Department Replacement Schedule, but not on the Capital Plan due to their cost; and a suitable new 2008 Model enclosed-cab mowing tractor with mower attachment is available on State Bid for a price of \$58,430.05 each, or a total of \$116,860.10 for the two mowing tractor packages; therefore, be it

RESOLVED, that the County Highway Superintendent has authorization to buy two enclosed-cab mowing tractors with mower attachment on the State Bid Contact No. PC62734 for a total not to exceed \$116,860.10; now, therefore, be it

RESOLVED, that the addendum to the Highway Machinery Budget (DM51302.52400) be modified from one 10 wheeled dump truck at a cost of \$125,000 to two mowing tractors with mower attachments at a cost of \$116,860.10.

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

RESOLUTION NO. 294-10: AUTHORIZATION TO CLOSE PROJECT AND RETURN MONEY TO THE GENERAL FUND CONTINGENT ACCOUNT

Mr. Spickerman presented the following:

WHEREAS, the 2009 ARRA Stimulus highway resurfacing projects on Newark-Marion Road and Lake Bluff Road have been completed; and the final contract amount for each project was less than the budgeted amount as noted below:

D51122.52623 CR 154 Preventive Maintenance (Newark-Marion) Budgeted: \$134,435.84
Spent: \$122,324.07

D51122.52624 CR 220 Preventive Maintenance (Lake Bluff) Budgeted: \$92,644.05
Spent: \$ 79,327.53

and

WHEREAS, Resolution No. 203-09 allocated \$100,000.00 (CR 154 Preventive Maintenance) and \$77,000.00 (CR 220 Preventive Maintenance) of 100% Stimulus funds for these projects; and Resolution No. 565-09 allocated \$34,435.84 (CR 154 Preventive Maintenance) and \$15,644.05 (CR 220 Preventive Maintenance) from the County Contingent Fund to cover the additional cost that exceeded the Federal Stimulus funding to complete these projects; now, therefore, be it

RESOLVED, that the County Treasurer is directed to return said funds to the Contingency Accounts and amend the 2010 County Budget as follows:

D5112-ROAD CONSTRUCTION:

\$12,111.77 from .52623 CR 154 Preventive Maintenance
\$13,316.52 from .52624 CR 220 Preventive Maintenance

D9901-INTERFUND TRANSFERS:

25,428.29 to .59100 Transfer-General Fund

A1990-CONTINGENT FUND GEN:

25,428.29 to .54000 Contractual Expense

A9999-OTHER:

\$25,428.29 to .45031 Interfund Transfers
and; be it further

RESOLVED, that the projects be closed.

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

RESOLUTION NO. 295-10: AUTHORIZATION TO EXECUTE AGREEMENT FOR WAYNE COUNTY FAIR BOOTH

Mr. Plant presented the following:

WHEREAS, Wayne County STOP DWI will be occupying a booth for the annual participation in the Wayne County Fair, scheduled for August 9-14, 2010; and the cost for each booth space is \$165 and additional worker passes are \$5 each; now, therefore, be it

RESOLVED, that the Chairman of the Board is hereby authorized to execute a contract on behalf of the County of Wayne with the Union Agricultural Society at Palmyra for a booth rental and worker passes at a total cost not to exceed \$175:

1	booth	\$165.00
2	worker passes	<u>10.00</u>
	Total Cost	\$175.00

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

RESOLUTION NO. 296-10: REQUESTING THAT THE STATE OF NEW YORK EQUITABLY DISBURSE THE STATEWIDE WIRELESS 911 CELLULAR SURCHARGE FUNDS

Mr. Plant presented the following:

WHEREAS, the State of New York will collect approximately \$200 million dollars in fiscal year 2010 from the statewide wireless 911 surcharge; and the County of Wayne is among the many counties that provide call taking and dispatching for all emergency service provider agencies operating within the county; and

WHEREAS, historically, the vast majority of the aforementioned funds collected by the State have been retained by the State for its purposes, rather than disbursed to the counties and other municipalities operating 911 centers; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors requests that the State of New York equitably disburse the funds collected in association with the statewide wireless 911 surcharge to the counties and other local municipalities operating 911 centers across the state, to assist with operational and upgrade costs; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to Senator Nozzolio and Assemblyman Oaks.

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

RESOLUTION NO. 297-10: WAYNE COUNTY FIRE ADVISORY BOARD APPOINTMENT

Mr. Plant presented the following:

WHEREAS, although the terms of the office of the members of the Wayne County Fire Advisory Board expire on December 31, 2010, Alfred Rusch of Butler wishes to resign effective immediately; and the Town of Butler Supervisor David Spickerman has requested Jeffery Teeter to complete this term for Alfred Rusch; now, therefore, be it

RESOLVED, that Jeffery Teeter is hereby appointed to complete this term commencing immediately and ending December 31, 2010.

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

RESOLUTION NO. 298-10: AUTHORIZATION TO PROVIDE COMPENSATION EQUIVALENCY FOR CERTAIN VOLUNTEER EMERGENCY RESPONDERS FOR WORKERS COMPENSATION PURPOSES

Mr. Plant presented the following:

WHEREAS, the people of Wayne County are most fortunate in having numbers of dedicated citizens willing to sacrifice their time and efforts and to put their own safety and health at risk without receiving a salary therefore, in order to serve their fellow citizens as volunteer emergency responders; and

WHEREAS Such volunteers are worthy of the appreciation and esteem of their fellow citizens, and of certain benefits to which they may be entitled under State law, including specifically compensation for lost wages during such times as they may be unable to work at gainful employment as a result of injuries sustained during their service as volunteer emergency responders; and

WHEREAS, it is the purpose of this resolution to establish a fiscal parameter which shall be employed for the calculation of Workers Compensation benefits under State law, to fairly sustain these valued citizens during their recovery from injuries suffered during voluntary and most honorable service to their fellow citizens; now, therefore, be it

RESOLVED that after due deliberation and study, that for the purposes of the New York State Workers Compensation Law, and the regulations pertaining thereto, that in the case of volunteers who perform services as authorized members of Wayne County Hazardous Materials Response Team, the Deputy Fire Coordinators, the Wayne County Training Support Officer and the Wayne County Fire Investigation Team, that if said volunteers were in a paid position, the salary of \$600.00 per week shall be deemed the compensation equivalency used to calculate the benefits to which they shall be entitled to under said law.

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

RESOLUTION NO. 299-10: AUTHORIZATION TO RENEW AND PAY FOR THE ANNUAL PUBLIC DEFENSE CASE MANAGEMENT MAINTENANCE AND SUPPORT AGREEMENT BETWEEN THE WAYNE COUNTY PUBLIC DEFENDER'S OFFICE AND THE NEW YORK STATE DEFENDERS ASSOCIATION, INC.

Mr. Plant presented the following:

WHEREAS, the Wayne County Public Defender's Office uses the Public Defense Case Management System (PDCMS) in their office for the management of data; and the New York State Defenders Association, Inc. and the Wayne County Public Defender's Office have entered into an annual agreement for the support and maintenance of said program which includes software maintenance, bug fixes, new software releases and unlimited telephone support; and

WHEREAS, the annual payment for the maintenance and support agreement is \$1,500; and the renewal term of the maintenance and support agreement is from March 7, 2010 through March 6, 2011; now, therefore, be it

RESOLVED, that the Wayne County Chairman of the Board is hereby authorized to review and approve the annual contract; and be it further

RESOLVED, that the Wayne County Public Defender's Office is hereby authorized to

pay to the New York State Defenders Association, Inc., the sum of \$1,500 for the annual support and maintenance from March 7, 2010 through March 6, 2011 for the Public Defense Case Management System (PDCMS).

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

RESOLUTION NO. 300-10: AUTHORIZATION TO MODIFY THE YEAR 2009 LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM GRANT BUDGET

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office previously received a grant in the amount of \$79,500 from the NYS Office of Homeland Security, to be used in support of law enforcement terrorism prevention-oriented planning, organization, training, exercise and equipment activities; and

WHEREAS, the Wayne County Board of Supervisors previously approved the acceptance of the grant (Resolution No. 712-09); and the amendment of the 2010 County Budget for such (Resolution 149-10); and the Office of Homeland Security notified the Wayne County Sheriff that the budget for said grant needs to be amended to reflect a twenty-five percent dedication of the total grant funds for training and exercises; and

WHEREAS, the new grant budget shall be as follows: (45) patrol car printers \$12,375.00; (1) mobile network server for the 911 Center \$7,000.00; (5) computer dispatch consoles for the 911 center \$7500.00; (1) inflatable emergency operations shelter for mobile command post \$10,500.00; (1) surveillance camera system for Sodus Point Park \$22,125.00; Sheriff's office overtime for multi-agency terrorism prevention training and exercises \$20,000.00; now, therefore, be it

RESOLVED that the Wayne County Sheriff is hereby authorized and to amend the 2009 SLETPP grant budget and expend the grant funds in accordance with the amended budget.

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

RESOLUTION NO. 301-10: AUTHORIZATION TO SURPLUS A 1988 CHEVROLET BUS PREVIOUSLY USED BY THE SCUBA TEAM

Mr. Plant presented the following:

WHEREAS, In 1995, the Wayne County Sheriff's Office obtained from the Wayne Area Transportation System, a used 1988 Chevrolet 20+ passenger bus bearing vehicle identification number 1GBKP32M2J3309835, hereinafter known as the SCUBA bus, to be used by the Sheriff's Office to store and transport SCUBA equipment; and the SCUBA bus, which had been in-service at the Sheriff's Office for many years, is no longer in operating order and would cost a great deal of money to make it operational; and

WHEREAS, the SCUBA bus was replaced in 2009 by a new trailer, which was purchased with federal Homeland Security grant monies; and the Wayne County Sheriff's Office is requesting to surplus said SCUBA bus, and remove it from its vehicle fleet inventory; now, therefore, be it

RESOLVED, that the Wayne County Sheriff is hereby authorized to surplus the aforementioned 1988 Chevrolet bus and remove it from the vehicle fleet inventory.

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

RESOLUTION NO. 302-10: AUTHORIZATION TO CONDUCT A COST ANALYSIS OF THE SHERIFF'S OFFICE CELLULAR SERVICES

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office has cellular accounts with Verizon Wireless, which provides duty related cellular phone service and wireless internet air card service to employees of the Wayne County Sheriff's Office; and the average monthly

charge for cellular phone service in 2009 was \$1749, and for wireless internet air card service was \$428. The monthly charge for cellular phone service in February 2010 was \$1703, and for wireless internet air card service was \$360; and

WHEREAS, Wireless Business Group, LLC of North Syracuse, NY can conduct an analysis of the Wayne County Sheriff's Office cellular phone and wireless internet air card accounts, and make recommendations to reduce the amount of expenditures while maintaining the appropriate level of service for the deputies to perform their duties; and

WHEREAS, the cost of conducting such analysis is \$760.00, which will be charged to account 31504.54230, and will include a presentation of the results and recommendations to Sheriff Virts; and Wireless Business Group, LLC projects an annual savings of 4 to 5 times the cost of the analysis fee; now, therefore, be it

RESOLVED, that the Wayne County Sheriff is hereby authorized to enter into an agreement with Wireless Business Group, LLC, subject to the review and approval of the County Attorney, to conduct an analysis of the cellular phone and wireless internet air card accounts of the Sheriff's Office at a cost not to exceed \$760.00.

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

RESOLUTION NO. 303-10: AMEND NURSING HOME REHAB PROJECT PER CHANGE ORDER NUMBERS APPROVED ON MARCH 2, 2010

Mr. Hammond presented the following:

WHEREAS, The Building Renovation Committee (BRC) has the authority to approve changes orders up to \$10,000.00 for the Old Nursing Home Renovation project; and the BRC met on March 2, 2010 to review the status of the project and reviewed and approved various change orders within the components of the project; and

WHEREAS, the following change orders were reviewed and approved for the General Contractor component: GC-02 increase \$689.00 for Underground Sanitary Routing Chase; GC-03 increase \$7,744.00 for Boiler Room Piping Abatement; GC-04 increase \$5,198.00 for Penthouse Piping Removal; GC-06 increase \$4,235.00 for Area "A" Mudbed Infill; GC-07 increase \$1,282.00 for Area "A" Basement Existing Drywall Partitions; GC-08 increase \$1,866.00 for Metal Stud Partition at Beam Reinforcement; GC-09 increase \$2,090.00 for "A" Wing Basement Toilet Room Chase Wall; GC-22 increase \$913.00 for Men's Toilet Masonry Demolition for a net increase to the General Contractor component of \$24,017.00; and

WHEREAS, the following change orders were reviewed and approved for the HVAC component: HVAC-01 decrease \$2,128.00 for Boiler Room Piping Demo Deletion; HVAC-02 decrease \$2,786.00 for Penthouse Piping Demo Deletion for a net decrease to the HVAC component of \$4,914.00; and

WHEREAS, the following change orders were reviewed and approved for the Electrical component: EC-01 decrease \$7,177.00 from this line item as these costs were incurred by the County in another line item in this budget; EC-03 decrease \$10,000.00 for the deletion of a Transfer Switch; EC-05 decrease \$10,248.00 for a Power Distribution Change for a net decrease to the Electrical component of \$27,425.00; and the above approved change orders require amendments to the H1925 CO. BLDG. RENOVATION-ONH budget; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to amend Project H1925 CO. BLDG. RENOVATION-ONH as follows:

H1925-CO. BLDG. RENOVATION-ONH:

\$24,017.00 to .52813 General Trades

\$ 4,914.00 from .52814 HVAC

\$27,425.00 from .52815 Electrical

\$ 8,322.00 to .52818 Contingency

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

RESOLUTION NO. 304-10: AMEND NURSING HOME REHAB PROJECT (H1925) PER CHANGE ORDER NUMBERS APPROVED ON APRIL 6, 2010

Mr. Hammond presented the following:

WHEREAS, The Building Renovation Committee ("BRC") has the authority to approve changes orders up to \$10,000.00 for the Old Nursing Home Renovation project; and the BRC met on April 6, 2010 to review the status of the project and reviewed and approved various change orders within the components of the project; and

WHEREAS, the following change orders were reviewed and approved for the General Contractor component: GC-01 increase \$7,111.00 for Access Control Revisions; GC-05 increase \$597.00 for Fire Extinguisher Cabinets in existing CMU walls; GC-11 no cost for Area "C" Exterior Wall Framing; GC-14 increase \$2,192.00 for B Wing Dumbwaiter Abatement; GC-15 increase \$2,585.00 for Area "A" Roof Reinforcing; GC-16 increase \$2,019.00 for B Wing Door Demo of Room 1050; GC-18 increase \$1,305.00 for RPZ Room Existing Framing Conditions; GC-21 increase \$938.00 for Curb Base at Evidence Lockers; GC-27 increase \$1,594.00 for Area "C" Mudbed Infill; GC-28 increase \$2,546.00 for Metal Wardrobe Lockers Base Rooms 1011 & 1013; GC-32 decrease of \$597.00 for Alternate Recessed Mats at Existing Entrances for a net increase to the General Contractor component of \$20,290.00; and

WHEREAS, the following change orders were reviewed and approved for the Electrical component: EC-04 increase \$2,672.00 for Access Control Revisions; and the above approved change orders require amendments to the H1925 CO. BLDG. RENOVATION-ONH budget; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to amend Project H1925 CO. BLDG. RENOVATION-ONH as follows:

H1925-CO. BLDG. RENOVATION-ONH:

\$20,290.00 to .52813 General Trades

\$ 2,672.00 to .52815 Electrical

\$22,962.00 from .52818 Contingency

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

RESOLUTION NO. 305-10: AUTHORIZATION TO INCREASE LICENSE COUNT OF POSS SCHEDULING SOFTWARE

Mr. Hammond presented the following:

WHEREAS, the Shift Scheduling software has been successfully implemented in the Sheriff's department; and

WHEREAS, E911 is the next area that it in the process of implementing the software; and

WHEREAS, the license count needs to be increased from 175 to 210 to be in compliance; now, therefore, be it

RESOLVED, that the Director of Information Technology is hereby authorized to purchase said at a cost not to exceed \$4,200 using A16804-54475 (Software).

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

RESOLUTION NO. 306-10: AUTHORIZATION TO ABOLISH THE POSITION TITLE OF TAX MAP SUPERVISOR AND CREATE A TAX MAP TECHNICIAN POSITION WITHIN THE REAL PROPERTY TAX SERVICES DEPARTMENT

Mr. Hammond presented the following:

WHEREAS, the full-time Tax Map Supervisor will retire, effective April 29, 2010; and it is the determination of the Director of Real Property Tax Services, the Human Resources Director and the County Administrator that the position titled Tax Map Supervisor is no longer required to serve the Department's needs; now, therefore, be it

RESOLVED, that the position titled Tax Map Supervisor is hereby abolished, effective April 30, 2010, and, be it further

RESOLVED, that one additional position of Tax Map Technician is hereby created, effective April 30, 2010.

Mr. Spickerman moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, all Supervisors voted Aye. Absent – Supervisors Crane, Miller, Collier, LeRoy and Park. The Chairman declared the Resolution adopted.

RESOLUTION NO. 307-10: AMENDING RESOLUTION NO's. 444-95, 700-06 AND 688-07 ESTABLISHING MINIMUM STANDARDS FOR COUNTY PARTICIPATION IN LITIGATION INVOLVING CHALLENGES TO REAL PROPERTY ASSESSMENTS (ARTICLE 7)

Mr. Hammond presented the following:

WHEREAS, Resolution No. 444-95 established minimum standards for County participation in litigation involving challenges to Real Property Assessments; and Resolution No. 700-06 amended Resolution No. 444-95 by increasing the assessed value of the real property in question to more than \$350,000; and

WHEREAS, Resolution No. 688-07 amended Resolution No. 700-06 by defining the payment schedule to a quarterly basis; and the Board of Supervisors is desirous of amending Resolution No. 688-07 to require a minimum of ten (10) percent change in assessment, require a Village, when applicable, to be part of the "Cost Share" and to define a process before the County will expend funds; now, therefore, be it

RESOLVED, that Resolution No. 444-95 as amended by Resolution No. 700-06 and Resolution No. 688-07 is hereby amended to read as follows:

The County of Wayne may participate in providing financial assistance for litigation challenges to real property assessments provided the following Standards are met and the Process is adhered to:

STANDARDS

- The real property in question has a minimum assessed value of \$350,000 and the petitioner is desirous either of a change in assessment of ten (10) percent or a change of at least \$50,000 less than the assessed value.
- The Town, School District and, when applicable, Village in which the property resides have, by Resolution, agreed to share the cost of litigation equally with the County.
- The County will share costs of Town Counsel **or** outside Counsel secured by the Town. (not both)
- Prior to the effective date of participation established by the Wayne County Board of Supervisors any accrued litigation charges will be the sole responsibility of the Town in which the property resides.
- The County Attorney and Real Property Tax Services Director will be consulted regarding appraisals or settlement strategies.

PROCESS

- The Town will present a written request with a Town Resolution to the County Attorney and the Real Property Tax Services Director. The request will be accompanied by a Resolution from the relevant School District and, when applicable, the relevant Village.
- The request will be reviewed by the Director of Real Property Tax Services and the County Attorney for recommendation to the Finance Committee.
- A recommendation will be presented by the Real Property Tax Services Director, in Resolution transmittal form, to the Finance Committee.

- After the Resolution is approved and an effective participation date established by the County Board of Supervisors, the Attorney or the Town can then begin to submit litigation cost charges to the County Attorney seeking an apportioned payment from Wayne County.

and be it further

RESOLVED, the Director of Real Property Tax Services will forward a copy of this resolution to all of the Towns, Villages, and School Districts within Wayne County.

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

RESOLUTION NO. 308-10: APPROVING APPLICATIONS FOR CORRECTED TAX ROLLS

Mr. Hammond presented the following:

WHEREAS, applications for correction of tax rolls in relation to parcels of property identified below have been filed with the Director of Real Property Tax Services; and the Director investigated the circumstances of the claimed errors on the tax rolls and recommends that the applications be approved; now, therefore, be it

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

TOWN OF ROSE

2010 Tax Roll	
Account No.	73115-00-320424
Assessed to:	Town of Rose
Total Tax Difference:	\$647.96 Total County Tax Difference: \$0.00
Corrected Total Tax:	\$991.48

and be it further,

RESOLVED, that the County Treasurer is hereby authorized and directed to charge back the pertinent taxing authorities in the manner prescribed by Section 554 of the Real Property Tax Law.

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

RESOLUTION NO. 309-10: DECLARING EQUIPMENT SURPLUS FOR THE DEPARTMENT OF REAL PROPERTY TAX SERVICES

Mr. Hammond presented the following:

WHEREAS, the Director of Real Property Tax Services has determined that the following equipment is no longer necessary to fulfill the requirements of day to day activities of the Department; and the equipment listed below would require extensive monies to repair, therefore, be it

RESOLVED, that the following equipment listed below is hereby declared surplus:

Three (3) CPU's Serial # HPY76-8XW8D-GYKV9-87KP7-679XT:
 Serial # XPTB8-2PBXH-M6VRD-6TK4K-YY796
 Serial # DMCK7 9T9WR-GDKKB-9BCR9-HXQQQ
 Three (3) Computer Monitors SZ03512255
 DS/NJP-09171R-47743-OCM-8AJ9
 SB8517345
 One (1) Fax Machine - 002000
 Two(2) Index Card file Cabinets – 00072
 One (1) Drafting Table – 000039

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

RESOLUTION NO. 310-10: AUTHORIZATION TO ISSUE A REQUEST FOR

PROPOSALS FOR COMMISSIONING SERVICES FOR HVAC EQUIPMENT

Mr. Spickerman presented the following:

WHEREAS, Wayne County has awarded a project for renovations to the Former Nursing Home Facility for reuse by other County Departments; and said project has a significant amount of new HVAC equipment being installed; and

WHEREAS, the Building Relocation Committee has agreed that it would be in the best interest of Wayne County to seek commissioning services from and outside contractor for provision of said services; now, therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to prepare and distribute a Request for Proposals for commissioning services for all HVAC equipment; and that all proposals shall be presented to the Building Relocation Committee for review and consideration.

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

RESOLUTION NO. 311-10: AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSALS FOR MOVING/RELOCATION SERVICES

Mr. Spickerman presented the following:

WHEREAS, Wayne County has awarded a project for renovations to the Former Nursing Home Facility for reuse by other County Departments; and said project will require moving and relocation of all specified departments to the new facility; and

WHEREAS, the Building Relocation Committee has agreed that it would be in the best interest of Wayne County to seek services from an outside contractor to provide said services; now, therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to prepare and distribute a Request for Proposals for moving and relocation services for all Departments being relocated; and be it further

RESOLVED, that all proposals shall be presented to the Building Relocation Committee for review and consideration.

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

RESOLUTION NO. 312-10: AUTHORIZATION FOR THE PURCHASE AND INSTALLATION OF THE ACCESS CONTROL SYSTEM HARDWARE AND SOFTWARE REQUIRED IN THE FORMER NURSING HOME RENOVATION PROJECT

Mr. Spickerman presented the following:

WHEREAS, Wayne County has awarded a project for renovations to the Former Nursing Home Facility for reuse by other County Departments; and said project has a significant amount of new access control system hardware and software equipment being installed; and

WHEREAS, the Building Relocation Committee has agreed that it would be in the best interest of Wayne County to purchase said equipment directly from the NYS Contract for said equipment; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an agreement, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Linstar Security Systems, for the purchase and installation as described below:

ID System

- 1 CP80 Plus ID Card Printer*
Color Card Printer with "double-sided" printing, Ethernet connectivity, smart LCD display, 200 card input hopper, 100 card output hopper, magnetic stripe encoder and laminator module that allows you to apply polyester DuraGard® laminate on the cards which increase card durability and enhance security

- 1 Photo Pointe Professional Live Video Digital Camera Package with External Flash* - Live video digital camera with Datacard software interface, tripod, stand, backdrop, frame, and high-powered external flash

Access Control System

- 1 Upgrade System Galaxy Software for Corporate Level Software licensed for up to 120 card readers to Enterprise Level Software licensed for up to 168 card readers*
Additional System Galaxy Software Client*
 - 5 Galaxy 600-Series Control Panel for up to 8 doors*
-Includes Controller box, CPU, 4 Dual Port Interfaces & 2 Power Supplies
 - 2 Galaxy 600-Series Control Panel for up to 4 doors*
-Includes Controller Box, CPU, 2 Dual Port Interfaces & 1 Power Supply
 - 1 Galaxy 600-Series Control Panel for up to 2 doors*
-Includes Controller Box, CPU, 1 Dual Port Interface & 1 Power Supply
 - 8 Altronix Electronic Lock Power Supply – AL400ULX*
-12VDC at 4 AMP;24VDC at 3AMP;
-UL Listed Burg. (UL603);Fire (UL 1481); Access Control (UL294);
-MEA/CSFM Approved; CSA Listed.
-Includes: Large Cabinet, Cam Lock and Transformer
 - 45 HID Mini Prox Readers*
 - 45 Egress Motion Detector with Sounder
 - 4 Push Button Release
- | | |
|---|-------------|
| Equipment Total: | \$48,193.62 |
| Professional Implementation Services*:
(Total travel, installation and system training.) | \$32,916.85 |
| Subtotal: | \$81,110.47 |

LINSTAR Annual Maintenance Agreement

System includes comprehensive 90-day warranty, after which the annual service agreement is highly recommended

Service agreement includes one annual preventive maintenance visit, on-site support, travel and all parts (except consumables)

Service agreement covers all equipment and materials listed above

Total Annual Maintenance Agreement – First Year:	\$ 9,934.53
Total Budgetary Estimate:	\$91,045.00
30% due with order for equipment purchase	
<u>Total cost</u>	<u>\$91,045.00</u>

and be it further

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to enter a payment into the Project Account H19292.52820 in the amount of \$ 27,313.50 to generate a check to be turned over to Linstar when the contracts are executed and the equipment is ordered.

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

RESOLUTION NO. 313-10: AUTHORIZATION FOR THE PURCHASE AND INSTALLATION OF FIBER OPTIC AND COPPER LINES FROM BN SYSTEMS, INC.

Mr. Spickerman presented the following:

WHEREAS, Wayne County is in the process of Renovating the Former Nursing Home Facility for reuse by other County Departments; and the project will include the demolition of the East Wing area; and

WHEREAS, Wayne County currently has phone and fiber optic cables running through the crawl space of this area that provide communication services to other county facilities, that will need to be relocated as part of the project; and BN Systems, Inc. has provided us

with a quote for the materials and labor required for the relocation of said phone and fiber as per their NYS Contract # 77018; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an agreement, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with BN Systems Inc., for the purchase and installation of fiber optic, and copper phone lines in the amount of \$42,848.00; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to make payment upon completion of said contract, to BN Systems, Inc. from the project account #H 19252.52819.

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

RESOLUTION NO. 314-10: AUTHORIZATION TO APPROVE CHANGE ORDER FOR FORMER NURSING HOME PROJECT

Mr. Spickerman presented the following:

WHEREAS, Wayne County has awarded a project for renovations to the Former Nursing Home Facility for reuse by other County Departments; and it was requested by the Superintendent of Buildings and Grounds to add a closet into each of the four road patrol offices being constructed in the facility; and

WHEREAS, a proposal has been received from Holdsworth Klimowski for the provision of the four closets; and the proposal has been reviewed and approved by both SWBR, and Watchdog Building Partners; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign Change Order #6, with Holdsworth Klimowski in the amount of \$ 12,654.48 for the provision of four closets added to room numbers 1007,1008,1009, and 1010; and be it further

RESOLVED, that the County Treasurer is hereby directed to amend the 2010 County Budget as follows:

H1925-CO. BLDG. RENOVATION-ONH:

\$12,654.48 to .52813 General Trades

\$12,654.48 from .52818 Contingency

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

RESOLUTION NO. 315-10: AUTHORIZATION TO APPROVE CHANGE ORDER FOR FORMER NURSING HOME PROJECT

Mr. Spickerman presented the following:

WHEREAS, Wayne County has awarded a project for renovations to the Former Nursing Home Facility for reuse by other County Departments, and said project has the removal of the old civil defense bunker in the scope of the General Contractors contract, and

WHEREAS, It was discovered that there were asbestos containing materials located in the bunker that will require abatement prior to removal that was not defined in the original bid documents, and Watchdog Buildings Partners and SWBR Architects, have prepared a request for proposal and have agreed that the proposal received from the general Contractor, Holdsworth Klimonski is a fair price for the work indicated, be it hereby

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign Change Order # 5, with Holdsworth Klimowski in the amount of \$ 29,742.00 for the provision of removal of all asbestos containing materials in the bunker; and further

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

H1925-CO. BLDG. RENOVATION-ONH:

\$29,742.00 to .52813 General Trades

\$29,742.00 from .52818 Contingency

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

RULE 15 RESOLUTIONS

RESOLUTION NO. 316-10: REQUEST THAT THE STATE OF NEW YORK DELAY THE IMPLEMENTATION OF THE IGNITION INTERLOCK PROVISIONS OF LEANDRA'S LAW

Mr. Plant presented the following:

WHEREAS, in late 2009 New York State, enacted and passed into legislation, "Leandra's Law" which (a) added the category of "Child In Vehicle" to DWI Offenses, that has already been implemented; and, (b) which added a section to the V & T Law requiring the installation and use of Ignition Interlock Device as part of all DWI sentences in New York State, to be implemented effective August 15, 2010; and

WHEREAS, the legislation provided no direction or resources were by the Ignition Interlocked section of the legislation could be implemented; and in accord with the request of the Law, the NYS DPCA has prepared a Proposed Rule to direct the implementation of this law; and

WHEREAS, the proposed Rule does not demonstrate how the Counties are to organize and/or support the implementation of this Program, and requires each County to demonstrate how the County will implement and fund, this Program; and Wayne County supports the intent of this legislation it does not, in this time of severe fiscal crisis, have the resources to assume responsibility for an unfunded mandate of this magnitude; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors recommends and request that the State of New York, delay implementation of the Ignition Interlock Program until appropriate State resources can be identified and made available to the Counties for the implementation of this Program.

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

RESOLUTION NO. 317-10: AUTHORIZATION TO ENTER INTO AGREEMENTS WITH THE TOWNS OF HURON, SODUS AND WOLCOTT TO SUPPORT THE WEED HARVESTING PROGRAM

Mr. Spickerman presented the following:

WHEREAS, the Towns of Wolcott, Sodus and Huron each contribute to the Weed Harvesting Program based upon the miles of shoreline for each town as follows: Town of Wolcott (\$2,000), Town of Sodus (\$4,000) and the Town of Huron (\$9,000); and

WHEREAS, said Towns are desirous of paying their respective contributions to Wayne County which will in turn pay the Soil and Water District for the 2010 Aquatic Weed Harvesting Program; and Resolution 87-10 authorized Wayne County to contract for the Wayne County portion (\$44,100) of the Aquatic Weed Harvesting Program for 2010 contingent upon the Towns contributions and pay the district \$59,100 (\$15,000 Town's share and \$44,100 County's share) to administer the 2010 program; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign agreements upon review and approval of the County Attorney with the Towns of Huron, Sodus and Wolcott to facilitate payment of the towns' contribution to the Weed Harvesting program through the county.

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

RESOLUTION NO. 318-10: AUTHORIZE AGREEMENT WITH UPSTATE GRAPHICS FOR MAINTENANCE ON PRINTING DEPARTMENT EQUIPMENT

Mr. Lauderdale presented the following:

WHEREAS, the County of Wayne's Printing Department owns a Standard Digital Duplicator printing unit which requires maintenance; and the County has contacted with Upstate Graphics to provide machine maintenance for this unit in the past; 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 Upstate Graphics for an annual amount of \$1,389.00 and a annual per copy charge of .002 per copy for all copies in excess of 350,000 for the contract period 5/1/10 to 5/1/11.

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

RESOLUTION NO. 319-10: AUTHORIZATION TO AMEND RESOLUTION NO. 521-09 CONTRACT WITH HEALTH RESEARCH INSTITUTE

Mr. Manktelow presented the following:

WHEREAS, Wayne County Public Health (WCPH) currently contracts with the Health Research Institute (HRI) for the Breast & Cervical Cancer Early Detection Program; and WCPH has received notice from the Health Research Institute (HRI) that additional funds will be available to provide breast and cervical cancer early detection services, for the amount of \$39,048 to be spent by June 29, 2010; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to amend the contract with HRI and authorize the acceptance of \$39,048 to be spent on breast and cervical cancer early detection services, to be spent by June 29, 2010, subject to the approval to the County Attorney as to form and content.

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

OTHER BUSINESS

Mr. Kelsch moved, seconded by Mr. Plant that one (1) resolution be allowed on the floor under other business. Motion carried.

RESOLUTION NO. 320-10: AUTHORIZING SALE OF FOUR SURPLUS SHERIFF'S OFFICE VEHICLES TO COUNTY OF SCHUYLER

Mr. Lauderdale presented the following:

WHEREAS, Wayne County has declared surplus a number of vehicles that will be sold at public auction to be conducted in May, 2010; and four 2003 Ford Crown Victoria Sheriffs Vehicles are among those vehicles that have been declared surplus; and

WHEREAS, these four vehicles are not serviceable for continued day-to-day use by the Sheriff's Office; and the Central Garage has placed a value of \$1,500 each on the vehicles; and

WHEREAS, the Sheriff's Office in Schuyler County has indicated its interest in acquiring these vehicles to use on occasion as support units during special events in Schuyler County; now, therefore, be it

RESOLVED, that the Purchasing Agent is hereby authorized to sell four surplus 2003 Ford Crown Victoria Sheriff's Vehicles to Schuyler County for the amount of \$1,500 each for a total of \$6,000; and be it further

RESOLVED, that the sale of these vehicles is on the condition of 'as is' and 'where is' and that Wayne County will not incur any additional costs in transporting these vehicles to Schuyler County, nor will it incur any added costs of vehicle title transfer.

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

Wayne County Administrator James Marquette requested for Kevin Rooney, Wayne

County Highway Superintendent, to give the Board a report regarding the Consolidated Highway Improvement Program (CHIPPS) funding. Mr. Rooney reported many proposed County road construction projects funded with CHIP's funds will be affected if Governor Paterson makes significant reductions to the executed budget.

ADJOURNMENT:

The next scheduled meeting of the Board is Tuesday, May 18, 2010 at 9:00 a.m.

Mr. Plant moved, seconded by Mr. Lauderdale, that the Board adjourn at 10:12 a.m. Carried.

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

9th Day
Tuesday, May 18, 2010
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 Spickerman, 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:

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

COMMUNICATIONS:

The Clerk read the following:

A copy of the County Auditor's accounts payable report for May 2010 totaling \$5,076,324.65.

A thank you note from Sharon Lilla for the lovely fruit basket she received from the Board of Supervisors.

A letter from Senator Michael Nozzolio, sharing the County's opposition for legislation S.7000-a, which would require accident and health insurance policies to provide coverage for screening, diagnosis and treatment of an autism spectrum disorder.

Copy of an adopted resolution was received from both Ontario and Seneca County Board of Supervisors regarding endorsement of appointments to the Finger Lakes Workforce Investment Board.

Notice of a Public Hearing regarding the Wayne County Industrial Development Agency 2010 real estate transfer of Pomona Packing, LLC is scheduled on Thursday, May 20, 2010 at 9:00 a.m. in the Village of Wolcott Offices on New Hartford Street, Wolcott.

A letter was received from Alan Vincent, President of the Canalway Trails Association of New York, urging Wayne County to contribute funds to assist in the extension of the Erie Canalway Trail section from Lockport to Newark.

Copy of Resolution No. 199-10 from Fulton County, entitled, "Urging Governor

Paterson and NYS Legislature to Delay Proposed Implementation of Ignition Interlock Provisions of Leandra's Law".

A copy of Resolution No. 204-10 from Fulton County entitled, "Directing the Probation Director not to submit a County Plan to Department of Probation and Correctional Alternatives for Implement of Leandra's Law Interlock Device Procedures".

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

BIDS:

Buildings and Grounds

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

Highway Department

- Culvert Pipe for the Sodus Center Road Culvert Project for Wayne County Highway Department
- Repair of the In-Ground Vehicle Lift in the Highway Shop
- Purchase of a 2010 or Newer Rubber Tired Excavator

Nursing Home

- Purchase and Installation of Ceiling Lifts

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

Chairman Hoffman introduced Bruce Clingerman, GM Global Technology Corp., for his presentation on fuel cell technology. Mr. Clingerman explained sustainable energy and the reasons to move to the hydrogen economy. Mr. Clingerman entertained questions along with bringing a fuel cell electric vehicle for inspection and test drive.

Chairman Hoffman introduced and welcomed Thomas Crowley and the Newark Government class to today's Board Meeting.

PROCLAMATIONS:

- Palmyra-Macedon High School Girls' Indoor Track Relay Team
Section V Class C Indoor Track Champions
- Palmyra-Macedon High School Varsity Wrestling Team
Section V Champions; NYS Division II Tournament Champions; BBB Sectional Champions; NY Small School Duel Meet Champions; Finger Lakes East League Champions

RECESS:

The Chairman announced that the Board would be taking a recess at 9:32 a.m.

REGULAR SESSION:

The Board Meeting resumed at 9:40 a.m.

RECOGNITION:

On behalf of the Wayne County Board, Robert Plant, Chairman of the Public Safety Committee, acknowledged and congratulated George Bastedo, Director of Wayne County Emergency Management, for being approved by the IAEM Certification Commission to receive the Certified Emergency Manager® (CEM®) credential.

PRIVILEGE OF THE FLOOR:

Chairman Hoffman opened the floor at 9:51 a.m. for members of the public to address the Board of Supervisors pertaining to items listed on the agenda for Board discussion and consideration. The following concerned citizens addressed the Board:

Carol May	Williamson, NY	Erie Canal Trail
Jon Fontaine	Marion, NY	Erie Canal Trail
Mark DeCracker	Lyons, NY	Erie Canal Trail
Jerry Ashley	Lyons, NY	Erie Canal Trail
Peter Evans	Williamson, NY	Erie Canal Trail
Jack McCrannels	Lyons, NY	Erie Canal Trail
Patricia Alena	Lyons, NY	Erie Canal Trail

By Electronic Mail:

Larry Ann Evans	Exec Director Museum of Wayne County History	Erie Canal Trail
Andrea Evangelist	President of the Lyons Civic Club, Inc	Erie Canal Trail

Supervisors Robert Kelsch and Kenneth Lauderdale addressed the Board to present a report entitled: Recycling Investigation – Wayne County, NY.

The report proposed two questions to the Board for consideration:

1. Should Wayne County continue to operate a recycling effort for the collection and disposal of recyclable materials; and
2. Is it the job of the Wayne County Legislative Board to cut taxes or make it as inexpensive as possible to live in Wayne County.

Excerpts from the report submitted:

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In essence, “this report tries to shed some light on Wayne County recycling. It contains information from the Wayne County Waste Authority web site <http://wfingerlakesauthority.org/Home.php>, the Wayne County Fiscal Advisory Team (FAT) report of 2005, a visit to Tompkins County Recycling, web based research and conversations with members of FAT, an advisor to Wayne County Recycling and members of the general public.

The more we learned the more questions we have. The answer to the first question above should be based on factual financial and business analysis and implemented in a way that provides for the best long term fiscally responsible environmental situation for our county and its residents.”

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“Conclusion

In our investigation with the answer to each question came ten more questions. Too many questions remain unanswered and the stakes are, in the long term, too high to make a decision based on what is know so far.

Recommendation

There are several next steps to be taken.

1. Hire an outside person (no connection to Wayne County, the recycling industry or any of the decision makers. At a rough scope it may be a 3 to 6 month effort costing \$25,000 to \$50,000 and should be done through an RFP or similar invitation.
2. Supervisors to review the business plan showing Profit & Loss and capital projections against what is produced by the Authority.

3. Perform a detailed study of recycling looking at a number of currently operating models of effective recycling operations. Consider the following elements:
 - Dual vs. single stream
 - Capital equipment replacement / funding
 - Business partnerships; county/private
 - What are the market predictors for recyclables?
 - Where are the markets for recyclables?
 - How does future "Product Stewardship" legislation play into Wayne County's recycling plans?
 - Review FAT recommendations
 - and more
4. Develop/understand the metrics and measures of the recycling business.
5. Solicit input, process suggestions and output evaluation of results from SCORE."

Mrs. Collier thanked Mr. Kelsch and Mr. Lauderdale and commended their efforts in putting this excellent presentation together for the Board today.

RECESS:

The Chairman announced that the Board would be taking a brief recess at 10:41 a.m.

REGULAR SESSION:

The Board Meeting resumed at 10:48 a.m.

RESOLUTION NO. 321-10: AUTHORIZING PUBLIC AUCTION SALE OF REAL PROPERTY ACQUIRED BY THE COUNTY FOR DELINQUENT TAXES

Mr. Hammond 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 2008 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 2008 as of the close of business on June 15, 2010.

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 16, 2010, commencing at 6:00 p.m.

FOURTH: The Director of Real Property Tax Services is hereby authorized and directed to advertise the auction sale in such manner as he/she 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).

FIFTH: 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 16, 2010 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, Article 11 of the Real Property Tax Law of the State of New York.
2. All potential Bidders/Buyers must provide acceptable photo identification for issuance of a bid number.
3. All Bidders/Buyers must register for this auction and hold a bid 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, 2010.
16. The purchaser will pay all of the following taxes and charges, including all interest and penalties if applicable:
 - 2010 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
 - 2010 School Tax
 - 2011 Town Tax & County Tax which may include received 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, attorney fees, 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,

Residence Address

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

RESOLUTION NO. 322-10: AUTHORIZING PAYMENT OF SETTLEMENT TO DEBRA BENJAMIN

Mr. Hammond presented the following:

WHEREAS, Debra Benjamin filed notice of claim, dated December 15, 2008 against the County of Wayne regarding an automobile accident that occurred on September 21, 2008 between a vehicle owned by the County of Wayne and Debra Benjamin; and the parties are desirous of settling said claim for a total amount not to exceed Sixty Seven Thousand Five Hundred and 00/100 dollars, (\$67,500.00) payable to Debra Benjamin and Greene & Reid, PLLC; now, therefore, be it

RESOLVED, that the claim between Debra Benjamin 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 Debra Benjamin and Greene & Reid, PLLC in the amount of Sixty Seven Thousand Five Hundred and 00/100 dollars, (\$67,500.00) from Account No. A#1930 (Judgment and Claims), as directed by the Wayne County Attorney.

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

RESOLUTION NO. 323-10: AUTHORIZATION TO PAY THE INTERNAL REVENUE SERVICE AUDIT ADJUSTMENTS FOR RECLASSIFICATION OF 2007 EXPENSES AND TRANSFER FUND FROM THE GENERAL FUND CONTINGENT ACCOUNT TO JUDGMENT AND CLAIMS

Mr. Hammond presented the following:

WHEREAS, the Internal Revenue Service (IRS) notified the County that we were selected for an audit of our 2007 expenses; and said audit has been completed, a Notice of Proposed Adjustments presented and exit interviews conducted on Friday April 23, 2010; and

WHEREAS, the Notice of Proposed Adjustments identified the following areas requiring action:

	<u>FIT</u>	<u>Social Security</u>		<u>Medicare</u>		<u>TOTAL</u>	
Meal Reimbursement			\$ 622.25		\$ 308.64	\$ 72.18	\$ 1,003.07
Clothing Allowance			\$2,239.50		\$ 1,110.79	\$ 259.78	\$3,610.07
Cell Phones			\$3,523.75		\$ 1,747.78	\$ 408.76	\$5,680.29
Personal Use County Vehicles			\$1,262.25		\$ 626.08	\$ 146.42	\$2,034.75
Commuting Mileage Reimbursement			\$ 267.00		\$ 132.43	\$ 30.97	\$ 430.40
Secretarial Allowance			\$ 0.00		\$ 2,929.50	\$ 685.12	\$3,614.62
Worker Reclassification			\$6,362.82		\$28,586.42	\$7,380.88	\$42,330.12
			<u>Code 6721</u>		<u>Code 6722</u>	<u>TOTAL</u>	
1099 Issuance			\$1,650.00		\$1,650.00	\$3,300.00	

and

WHEREAS, the County has reviewed the above information and is in agreement with the findings, now, therefore, be it

RESOLVED, that the Board of Supervisors approves the payment of \$62,003.32 the Internal Revenue Service for 2007 Audit findings listed in this resolution; and further

RESOLVED, that the County Treasurer is directed to make the following amendment to the 2010 County Budget to facilitate the payments:

A1930-JUDGMENTS & CLAIMS:

\$62,003.32 .54000 Contractual Expense

A1990-CONTINGENT FUND GEN:

\$62,003.52 .54000 Contractual Expense

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

**RESOLUTION NO. 324: CONCUR WITH COUNTY TREASURER'S RECOMMENDATION
TO WITHDRAW FROM FORECLOSURE PROCESS, CERTAIN PROPERTIES WITH
ENVIRONMENTAL ISSUES AND STATE LEASED LANDS**

Mr. Hammond 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 parcels listed below be withdrawn from the foreclosure process.

RE: ENVIRONMENTAL ISSUES

Town & Auction #	Property location	Owner	TM #
ARCADIA			
Seq. # 93	1303 N. Main Street	Frederick Parkinson	68111-10-365641
Seq. # 96	1309 N. Main Street	Alfred Drew	68111-10-418600
GALEN			
Seq. #393	49 Glasgow Street	Sandra L. Fischette	74112-14-367345
LYONS			
Seq. #674	Cole Road	Stockton Land Co.	71111-14-411405
Seq. #675	Cole Road	Stockton Land Co.	71111-14-475388
Seq. #676	100 Cole Road	Stockton Land Co.	71111-14-481422
MACEDON			
Seq. # 743	Quaker Road	David R. Morrison	62112-00-086345
Seq. # 746	1156 Quaker Road	David R. Morrison	62112-00-239302
Seq. # 747	2009 Canandaigua Road	David Morrison	62112-00-307310
PALMYRA			
Seq. #1007	3785 Trolley Road	Kevin M. Carrier	65111-00-564479
SODUS			
Seq. #1428	8423 Wagemaker Road	Barker Chemical Co.	71115-00-365790
WILLIAMSON			
Seq. #1701	6721 Bear Swamp Road	Louise Daniels	66118-00-406244
Re: State Leased Lands			
GALEN			
Seq. # 313	Kreagers Island	William L. Brass, Jr.	72110-00-599741
MACEDON			
Seq. #708	215 Canal Drive West	Frederick E. Decarr	61112-17-100154
Seq. #710	295 Canal Drive West	Stanley D. Connor	61112-17-188166
PALMYRA			
Seq. #1018	3995 Route 31	Daonna Scoville	65111-12-818715

Seq. #1037	4503 Route 31	Patricia A. Salerno	66110-06-457928
Seq. #1062	4979 Route 31	Paul Donovan	67110-05-048867

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

Mr. Hammond moved, seconded by Mr. Plant, that the following property listed within the township of Macedon, be removed from the list of properties:

"Seq. # 743 Quaker Road David R. Morrison 62112-00-086345"

Upon roll call for the amended resolution, all Supervisors voted Aye, except Supervisor Crane who voted Nay. The Chairman declared the amended Resolution adopted.

RESOLUTION NO. 325-10: AMEND THE 2010 COUNTY BUDGET TO INCREASE ANTICIPATE UNEMPLOYMENT INSURANCE CLAIMS BASED UPON LAST QUARTER 2009 FIRST QUARTER 2010

Mr. Hammond presented the following:

WHEREAS, the last quarter of 2009 and the first quarter of 2010 Unemployment Insurance costs and claims were considerably larger than previously recorded; and two more quarters will be required to be charged against 2010 with 100% of the costs associated with the charges being reimbursed back to this account; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to amend the 2010 County Budget as follows:

A9050-UNEMPLOYMENT RESERVE:

\$80,000.00 to .42801 Interfund Reimbursement of Expense

\$80,000.00 to .58000 Employee Benefits

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

RESOLUTION NO. 326-10: AUTHORIZATION TO AMEND RESOLUTION NO. 758-01 ENTITLED "AUTHORIZATION FOR THE INSURANCE/ASSESSMENT STANDING COMMITTEE TO APPROVE CERTAIN PAYMENTS FOR VEHICLE REPAIR"

Mr. Hammond presented the following:

WHEREAS, Resolution No. 758-01 provided that the Insurance/Assessment Standing Committee of the Board of Supervisors is hereby authorized to approve County owned vehicle repair payments, not exceeding \$5,000, with only Committee approval; and this procedure often results in a delay in damaged county vehicles being returned to service; and

WHEREAS, the Finance Committee upon due deliberation hereby recommends the following procedure for the approval of County owned vehicle repair payments not exceeding \$5,000:

- The department head with oversight of the damaged vehicle will get three independent repair estimates
 - Said department head will submit said repair estimates to Central Garage for a review of reasonableness, comparability and completeness of said estimates
 - Central Garage shall submit said estimates together with any comments to the Wayne County Attorney
 - The Wayne County Attorney shall approve the repair of the vehicle in accordance with the lowest responsible and responsive repair estimate and shall so notify the department head who shall arrange to have the vehicle repaired
 - The County Attorney shall submit a monthly report to the Finance Committee regarding all said vehicle repair payment approvals; now, therefore, be it
- RESOLVED, that Resolution No. 758-01 is hereby amended in accordance with the above mentioned procedure.

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

RESOLUTION NO. 327-10: AUTHORIZATION TO PAY THE TOWN OF ROSE SETTLEMENT

Mr. Hammond presented the following:

WHEREAS, a 2009 ALS vehicle VIN 1D8HB38P09F712651 was involved in an accident on April 15, 2010 at the Town of Rose Highway Department wherein said vehicle collided with a rake; and the parties are desirous of settling said claim for a total amount not to exceed Ninety-Four and 63/100 dollars, (\$94.63) payable to the Town or Rose; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to issue a check made payable to the Town of Rose in the amount of Ninety-Four and 63/100 dollars, (\$94.63) from Account No. A1930 (Judgment and Claims), as directed by the Wayne County Attorney.

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

RESOLUTION NO. 328-10: ADOPTING MORTGAGE TAX REPORT AND AUTHORIZING COUNTY TREASURER TO MAKE PAYMENT TO TOWNS AND VILLAGES

Mr. Hammond 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, 2009 to March 31, 2010, and recommend payment to the Villages and Towns as apportioned in such report as follows:

TOWN	TOWN SHARE	VILLAGE	VILLAGE SHARE	TOTAL
Arcadia	38,066.23	Newark	16,438.45	54,504.68
Butler	5,701.52	Wolcott	366.50	6,068.02
Galen	11,039.63	Clyde	2,546.77	13,586.40
Huron	20,839.48			20,839.48
Lyons	7,332.53	Lyons	3,015.59	10,348.12
Macedon	58,488.73	Macedon	4,070.08	62,558.81
Marion	25,384.81			25,384.81
Ontario	101,232.70			101,232.70
Palmyra	25,235.83	Palmyra	5,891.75	31,127.58
Rose	15,964.39			15,964.39
Savannah	3,224.55			3,224.55
Sodus	30,116.81	Sodus	2,166.30	37,058.65
		Sodus Pt.	4,775.54	
Walworth	84,142.50			84,142.50
Williamson	52,156.93			52,156.93
Wolcott	15,200.76	Wolcott	1,894.29	17,874.41
		Red Creek	779.35	
TOTAL	494,127.40		41,944.63	536,072.03

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.

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

RESOLUTION NO. 329-10: AUTHORIZATION TO CREATE A COMPLIANCE DEPARTMENT AND AMEND 2010 BUDGET

Mr. Hammond presented the following:

WHEREAS, Resolution No. 96-10 adopted the Wayne County Compliance Plan in accordance with federal, state and Office of Medicaid Inspector General Laws and Regulations; and the requirement to have a Compliance Plan is contained in both Federal and State Law to ensure that claims submitted are true and accurate; and

WHEREAS, Resolution No. 210-10 made several technical changes to the Wayne County Compliance Plan; and it is anticipated that the County will be expending funds on administering the Compliance Plan for Wayne County; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to create the Compliance Department and various line items and transfer as follows:

A1041 COMPLIANCE DEPARTMENT:

\$600.00 to .54456 Printing

A1990-CONTINGENT FUND GEN:

\$600.00 from .54000 Contractual Expense

Mr. Manktelow moved the adoption of the resolution. Seconded by Mr. Miller. Upon roll call, adopted.

RESOLUTION NO. 330-10: RESOLUTION CREATING A FULL TIME PUBLIC DEFENDER POSITION AND ABOLISHING A PART TIME PUBLIC DEFENDER POSITION IN THE PUBLIC DEFENDER'S OFFICE EFFECTIVE JANUARY 1, 2011 AND SETTING SALARY RANGE FOR RECRUITMENT

Mr. Plant presented the following:

WHEREAS, an Ad-Hoc Committee was appointed on January 27, 2010 to review the position of Public Defender; and the Ad-Hoc Committee was comprised of Supervisors Collier (chair), Hammond, Bender, Plant and Kelsch; and

WHEREAS, the Ad-Hoc Committee met on February 19, March 12, March 22, and April 19, 2010; and the Committee developed questions about the office of Public Defender and reviewed information presented by the Public Defender's Office and the County Administrator in response to those questions; and

WHEREAS, the Committee reviewed background material about the Public Defender's Office operation, staffing levels, caseload data, case assignment and court assignment information, and comparative salary information; and after deliberation and thorough consideration of the materials presented, the Committee recommended that the part-time position of Public Defender be made Full Time effective January 1, 2011 and recommended a salary range of \$75,000 to \$85,000 per annum; now, therefore, be it

RESOLVED, that effective January 1, 2011, the position of Public Defender shall be a Full Time position; and be it further

RESOLVED, that effective December 31, 2010, the Part-Time position of Public Defender is hereby abolished; and that the salary range for recruitment of the Full Time position of Public Defender shall be \$75,000 to \$85,000 per annum; and be it further

RESOLVED, that the Search Committee for the Public Defender, when established, shall review and update the position description in collaboration with the Human Resources Director.

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

RESOLUTION NO. 331-10: AUTHORIZATION FOR THE DISTRICT ATTORNEY TO APPLY FOR AN AID TO PROSECUTION GRANT FOR THE PERIOD APRIL 1, 2010 TO MARCH 31, 2011

Mr. Plant presented the following:

WHEREAS, the District Attorney has been notified that the County of Wayne may be eligible for an Aid to Prosecution Grant in the amount of \$31,800.00 with no matching funds for the period of 4/1/10 to 3/31/11; and the District Attorney has applied for and received said Grants when made available; now, therefore, be it

RESOLVED, that the District Attorney is authorized to apply for a \$31,800.00 Aid to Prosecution Grant with no matching funds for the period of 4/1/10 to 3/31/11; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute all necessary documents to implement the grant for the period of 4/1/10 to 3/31/11 on behalf of the County, subject to the County Attorney's approval as to form and content, with the New York State Division of Criminal Justice Services.

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

RESOLUTION NO. 332-10: AUTHORIZATION FOR PREPARATORY WORK IN ASSOCIATION WITH THE INFRASTRUCTURE CONTRACT OF THE PUBLIC SAFETY RADIO INTEROPERABILITY PROJECT

Mr. Plant presented the following:

WHEREAS, when the Bid Documents for the Infrastructure Project were released, it was known that certain preparatory work would be required in association with the Project, with such work to include the following:

- Conversion of certain circuit multiplexing from the Adtran devices to the RAD Megaplex units
- Rewiring of certain equipment at both the 911 center and the back-up center at SEMO
- Alteration of certain radio channels at both sites to accommodate the newly acquired frequencies

and

WHEREAS, it was known that, due to existing maintenance contracts and prior design work, this "preparatory work" would not be included in the Infrastructure Bid, as it must be completed by the vendors holding current contracts, or originally installing the equipment to be modified; now, therefore, be it

RESOLVED, that the 911 Coordinator shall be authorized to have certain Infrastructure Project preparatory work, as mentioned above, performed by the vendors listed below, to be funded from the A1934 Homeland Security project:

Finger Lakes Communication Co. Inc. 305 Clark St. Auburn, NY 13021	\$15,275.00
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Furman Communications Inc. 1573 N. Main St. Savannah, NY 13021	\$3,000.00
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Mr. Colacino moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

RESOLUTION NO. 333-10: ESTABLISHMENT OF THE MOBILE RADIO MODEL TO BE

PURCHASED RELATIVE TO THE PUBLIC SAFETY RADIO INTEROPERABILITY PROJECT

Mr. Plant presented the following:

WHEREAS, in association with the upgrades and mandated changes specified as part of the Public Safety Radio Interoperability Project, many of the mobile radios in use by the various public safety departments and agencies stationed in Wayne County will need to be replaced; and

WHEREAS, the quantities of mobile radios to be purchased by the agencies in the county through the County's radio system upgrade will be determined individually by each department, as each department will receive a funding allocation based on its need for replacement radios, as determined through confirmation of departmental inventories; and the initial inventories have shown that the quantity of mobile radios to be purchased countywide will be approximately 350; and

WHEREAS, the Radio Communications Committee has met with vendors representing three companies whose mobile radios can be purchased utilizing existing New York State purchasing contracts; and the Radio Communications Committee has recommended, by member vote, that the Motorola model XTL1500 should be the mobile radio to be offered to the Wayne County agencies and departments who will be purchasing mobile radios through the Radio Interoperability Project; now, therefore, be it

RESOLVED, that the Motorola model XTL1500 mobile radio, at a cost of \$995.70 per unit, not including any available accessories from Motorola as may be selected by the public safety agencies in the county for whom the purchases are to be made, shall be the standard mobile radio to be offered to the user agencies, to be purchased utilizing New York State municipal purchasing contract PT62495, with final quantities as determined by the user agencies through the application of their project funding allocations.

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

RESOLUTION NO. 334-10: ESTABLISHMENT OF THE PORTABLE RADIO MODELS TO BE PURCHASED RELATIVE TO THE PUBLIC SAFETY RADIO INTEROPERABILITY PROJECT

Mr. Plant presented the following:

WHEREAS, in association with the upgrades and mandated changes specified as part of the Public Safety Radio Interoperability Project, many of the portable radios in use by the various public safety departments and agencies stationed in Wayne County will need to be replaced, and

WHEREAS, the quantities of portable radios to be purchased by the agencies in the county through the County's radio system upgrade will be determined individually by each department, as each department will receive a funding allocation based on its need for replacement radios, as determined through confirmation of departmental inventories, and the initial inventories have shown that the quantity of portable radios to be purchased countywide will be approximately 600, and

WHEREAS, the Radio Communications Committee has met with vendors representing three companies whose portable radios can be purchased utilizing existing New York State purchasing contracts, and the Radio Communications Committee has recommended, by member vote, that the Motorola model XTS1500 should be the portable radio to be offered to the Wayne County agencies and departments who will be purchasing portable radios through the Radio Interoperability Project; now, therefore, be it

RESOLVED, that the Motorola model XTS1500 portable radio, at a cost of \$829.10 per unit, not including any available accessories from Motorola as may be selected by the public safety agencies in the county for whom the purchases are to be made, shall be the standard portable radio to be offered to the user agencies, to be purchased utilizing New York State municipal purchasing contract PT62495, with final quantities as determined by

the user agencies through the application of their project funding allocations, and be it further

RESOLVED, that the user agencies may also choose to purchase the Harris Corporation M/A-Com multi-band portable radio, with the cost to be dependent on the model and accessories chosen, to be purchased utilizing New York State municipal purchasing contract PT62493, with quantities as determined by the user agencies through the application of their project funding allocations.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, all Supervisors voted Aye, except Supervisors Hammond and Lauderdale who voted Nay. The Chairman declared the Resolution adopted.

RESOLUTION NO. 335-10: ESTABLISHMENT OF THE PAGER MODEL TO BE PURCHASED RELATIVE TO THE PUBLIC SAFETY RADIO INTEROPERABILITY PROJECT

Mr. Plant presented the following:

WHEREAS, the fire departments and EMS agencies, as well as Fire and EMS coordinators in Wayne County, utilize one-way pagers (radio receivers) to alert department personnel to emergencies within their jurisdictions, and the upgrades and mandated changes associated with the Public Safety Radio Interoperability Project will necessitate that the majority of the pagers currently used by personnel will require replacement; and

WHEREAS, the quantities of pagers to be purchased by the agencies in the county through the County's radio system upgrade will be determined individually by each department, as each department will receive a funding allocation based on its need for replacement radios, as determined through confirmation of departmental inventories; and

WHEREAS, the initial inventories have shown that the quantity of pagers to be purchased countywide will be approximately 1065; and the Motorola Minitor pager line is virtually the only public safety one-way radio pager in use currently, with the Minitor V being the current model; and

WHEREAS, the County of Saratoga has previously duly awarded a competitive purchasing contract to Motorola for the purchasing of Minitor V pagers, with Motorola willing to allow the County of Wayne to utilize said contract for its purchasing; now, therefore, be it

RESOLVED, that the Motorola Minitor V pager from Motorola Inc. shall be the standard pager to be offered to the, utilizing the aforementioned County of Saratoga purchasing contract, with final quantities as determined by the user agencies through the application of their project funding allocations; and be it further

RESOLVED, that the purchase prices for the Minitor V pagers shall be as follows:

One channel, without stored voice:	\$312.12
One channel, with stored voice:	\$348.84
Two channels, without stored voice:	\$344.08
Two channels, with stored voice:	\$380.80

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

RESOLUTION NO. 336-10: ESTABLISHMENT OF THE GRANT FUNDING ALLOCATION PROCESS RELATIVE TO THE PUBLIC SAFETY RADIO INTEROPERABILITY PROJECT

Mr. Plant presented the following:

WHEREAS, in association with the upgrades and mandated changes specified as part of the Public Safety Radio Interoperability Project, many of the mobile radios, portable radios, and pagers in use by the various public safety related departments and agencies stationed in Wayne County (collectively "user agencies") will need to be replaced; and

WHEREAS, all said user agencies have been contacted, with a review of each user agency's inventory of radio equipment performed, assessing the need for replacement equipment for either low band equipment currently in use, or VHF equipment in use that is

not narrow band compliant; and

WHEREAS, the Public Safety Interoperable Communications (PSIC) grant was secured with the intent of using the funding to purchase radios for the user agencies in Wayne County; now, therefore, be it

RESOLVED, that the user agencies will be allowed an opportunity to utilize grant funds to purchase mobile radios, portable radios, and pagers on their behalf, whereby the department will receive a credit based on the inventory of user agency owned radios or pagers currently in use that will not be compatible with the system changes to be undertaken as part of the Radio Interoperability Project; and be it further

RESOLVED, the base purchase price for the mobile radio, portable radio, and two channel pager to be purchased, shall be used to calculate the grant funding allocation amount for each user agency; and be it further

RESOLVED, that each user agency having non-compliant equipment will be allotted one PSIC grant amount of funding based on the total basic replacement cost for all of their equipment identified by inventory, in that they may choose to purchase differing quantities of each category of radio and pager than the quantity that was used to develop their allocation, as well as any available accessories; and be it further

RESOLVED, that the County will purchase all mobile radios, portable radios, and pagers associated with Radio Interoperability Project funds, and will retain ownership of said radios until final completion of the grant and project are achieved, whereby the ownership of the radios will be transferred to the applicable fire department, fire district, village, town, or other applicable organization owner or governing body; and be it further

RESOLVED, each applicable organization owner or governing body shall be responsible for non-warranty repairs, breakage, or misuse during the time that the devices are owned by the County, and shall be responsible for all repairs, breakage or misuse, as well as ongoing maintenance, following the transfer of ownership upon the completion of the project.

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

RESOLUTION NO. 337-10: AUTHORIZATION TO ADVERTISE FOR BID THE PURCHASE OF AN UNDERWATER SEARCH AND RESCUE SUPPORT VEHICLE

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office has received a grant in the amount of \$233,051 from the Federal Emergency Management Administration (FEMA) under the American Recovery and Reinvestment Act, for a Self Contained Transport Vehicle for Underwater Search and Rescue Operations (\$161,376) and SWAT Team related equipment (\$71,675), for the purpose of enhancing the Nation's port and maritime infrastructure, and to prevent, protect, respond to, and recover from threats or acts of terrorism; and

WHEREAS, the Wayne County Board of Supervisors previously approved the acceptance of the grant (Resolution No. 715-09) and previously approved modifying the 2010 budget for such (Resolution No. 150-10); and the Sheriff's Office, in conjunction with the County Attorney's Office, has finalized bid specifications for the Underwater Search and Rescue Vehicle portion of the aforementioned grant; and

WHEREAS, The Sheriff is requesting that the purchase of such Underwater Search and Rescue Vehicle be advertised for bids; now, therefore, be it

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to advertise for bid(s) the purchase of such Self Contained Transport Vehicle for Underwater Search and Rescue Operations for the Sheriff's Office; and be it further

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

RESOLUTION NO. 338-10: AUTHORIZATION TO SURPLUS FOUR SHERIFF'S OFFICE DRUG INVESTIGATION VEHICLES

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office obtained from the Federal Asset Forfeiture Program, four motor vehicles that have been used for several years by the Wayne County Sheriff's Office in conjunction with drug investigations. The following is a list of the vehicles including year, make, model, and vehicle identification number:

<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>Vehicle Identification Number</u>
1999	Chevrolet	Suburban	1GNEK13R1XJ456942
1998	Chevrolet	Suburban	1GNLT13W6W2168471
1998	Cadillac	4DSD	1G6KY5491WU925690
1996	Mitsubishi	Galant	4A3AJ46G0TE305922

and

WHEREAS, the above stated vehicles have been in-service for several years and are no longer in operating order, and would cost a great deal of money to make them operational; and the stated vehicles have been replaced with other seized vehicles; and

WHEREAS, the Wayne County Sheriff's Office is requesting to surplus the aforesaid vehicles and remove them from its vehicle inventory; and the Sheriff is requesting that any proceeds from the sale of aforesaid vehicles be placed into the Sheriff's Drug Asset Forfeiture Account # TE2037; now therefore, be it

RESOLVED, that the Sheriff is hereby authorized to surplus the aforesaid vehicles and remove them from the vehicle inventory; and be it further

RESOLVED, that the Wayne County Treasurer is hereby directed to place any proceeds from the sale of the aforesaid vehicles into the Sheriff's Drug Asset Forfeiture Account # TE2037.

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

RESOLUTION NO. 339-10: 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 Friday, April 16, 2010 at 1:30 p.m. and the following bids were received:

Bidder	Bid Amount	Bid Security	Pre-Bid Walk Through 4/9/10 at 11:00 a.m.
Michael & Christine Smith 9992 Gobblersknob Road Clyde, NY 14433	\$1,100.00 – 1 st year \$1,120.00 – 2 nd year \$1,130.00 – 3 rd year	\$160.00	✓
Robert Kersten 2144 Maple Street Road Lyons, NY 14489	\$1,500.00 – 1 st year \$1,800.00 – 2 nd year \$2,000.00 – 3 rd year	\$75.00	✓

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 Robert Kersten to operate the concession stand at the Sodus Point Park Bathhouse for the 2010 bathing season, for a fee of \$1,500 for the 1st 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. Colacino moved the adoption of the resolution. Seconded by Mr. Groat.

Mrs. Collier addressed the Board with her concerns of the proposed resolution to contract with the "higher bidder", (as in this case) instead of basing a contract decision with a vendor with experience and training from the former concession stand operator.

Upon roll call, all Supervisors voted Aye, except Supervisors Collier, LeRoy and Plant who voted Nay. Mr. Manktelow abstained from voting. The Chairman declared the Resolution adopted.

RESOLUTION NO. 340-10: AUTHORIZATION TO CONTRACT FOR WATER TREATMENT SERVICES FOR WAYNE COUNTY OWNED HVAC EQUIPMENT

Mr. LeRoy presented the following:

WHEREAS, Wayne County has numerous facilities with HVAC equipment that requires conditioned water; and an RFP was solicited from Rochester Midland Corporation, Jemco Water Treatment, and Waterwise of America; and

WHEREAS, Waterwise of America and Jemco Water Treatment submitted completed information packages to said RFP, as indicated below for their base treatment package:

<u>JEMCO Water treatment Services</u>	\$ 7,450.00 1 st year
	\$ 7,450.00 2 nd year
	\$ 7,450.00 3 rd year
<u>Waterwise of America, Inc.</u>	\$ 5,920.00 1 st year
	\$ 6,097.60 2 nd year
	\$ 6,280.53 3 rd year

WHEREAS, upon review of the two proposals received, based on the services that Wayne County has required in the past several years; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an agreement with Waterwise of America, subject to approval by the County Attorney as to form and content for the period of May 1st, 2010 through April 30st, 2013.

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

RESOLUTION NO. 341-10: AUTHORIZATION TO STANDARDIZE EQUIPMENT FOR AUTOMATIC DOOR OPENERS FOR COUNTY BUILDINGS

Mr. LeRoy presented the following:

WHEREAS, Wayne County, has made an investment in their buildings over the past decade to make it's older buildings more handicapped accessible; and one of the major investments over the years has been the addition of automatic door openers; and

WHEREAS, Wayne County currently has a total of ten (10) automated door openers, all manufactured by Horton Industries, in several County Office buildings; and for reasons of efficiency and economy, the Buildings and Grounds Department has recommended standardization of Horton automated door openers for the purposes of a retrofit application in existing County buildings; and

WHEREAS, for these reasons the Public Works Committee has recommended adoption of a standardization Resolution; now, therefore, be it

RESOLVED, that the Board of Supervisors, of the County of Wayne, for the stated reasons of efficiency and economy, hereby requires that only Horton Automated Door Openers and associated equipment be used in it's existing buildings; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to purchase said equipment from the local factory certified installer of Horton equipment that provides the best price for installation and maintenance of said equipment; and be it further

RESOLVED, that this resolution shall take effect immediately.

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

RESOLUTION NO. 342-10: AUTHORIZATION TO ACCEPT LOW BID FOR CULVERT PIPE FOR THE SODUS CENTER ROAD CULVERT PROJECT FOR WAYNE COUNTY HIGHWAY DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, the County Highway Superintendent requested to advertise for culvert pipe for the Sodus Center Road Culvert Project D51122.52637 and was granted approval in Resolution 202-10; and the Clerk of the Board of Supervisors has duly advertised for bids for culvert pipe for the County Highway Department, and the bids were open on Thursday, April 29, 2010 at 10:00 a.m. and the following bids were received:

<u>Bidder</u>	<u>Bid Amount</u>
Chemung Supply Corp.	\$6,817.00
Vellano Bros., Inc.	\$8,128.77
MJ Pipe & Supply	\$8,590.00

now, therefore, be it

RESOLVED, that the bid submitted by Chemung Supply Corp. of Elmira, NY in the bid price of \$ 6,817.00 in accordance with the specifications, is hereby accepted; and be it further

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

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

RESOLUTION NO. 343-10: AUTHORIZATION TO ACCEPT LOW BID FOR THE REPAIR OF THE IN-GROUND VEHICLE LIFT IN THE HIGHWAY SHOP AND TRANSFER FUNDS FROM THE GENERAL FUND CONTINGENT ACCOUNT

Mr. LeRoy presented the following:

WHEREAS, the vehicle lift located in the Highway Shop has a damaged rear cylinder and has been out of service since February 2010; and the County Highway Superintendent requested to advertise for the repair of the in-ground vehicle lift in the Highway Shop and was granted approval in Resolution 205-10; and

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for the repair of the in-ground lift for the County Highway Department, and the bids were open on Thursday, April 8, 2010 at 10:00 a.m. and the following bid was received:

<u>Filtrec Corp</u> of Auburn, NY	\$19,900.00
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now, therefore, be it

RESOLVED, that the bid submitted by Filtrec Corp. of Auburn, NY in the bid price of \$ 19,900.00 in accordance with the specifications, is hereby accepted; and be it further

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

the bid acceptance; and be it further

RESOLVED that the County Treasurer is hereby authorized and directed to transfer \$19,900.00 from the General Fund Contingency Account as following:

A1990-CONTINGENT FUND GEN:

\$19,900.00 from .54000

A9901-INTERFUND TRANSFERS:

\$19,900.00 to .59400 Transfer-Machinery

DM5130 Road Machinery

\$19,900.00 to .54407 – Building Maintenance and Repair

DM9999-OTHER:

\$19,900.00 to .45031 Interfund Transfers

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

RESOLUTION NO. 344-10: AUTHORIZATION TO ACCEPT LOW BID FOR ONE (1) 2010 OR NEWER RUBBER TIRED EXCAVATOR FOR THE WAYNE COUNTY HIGHWAY DEPARTMENT AND TRANSFER FUNDS FROM GENERAL FUND CONTINGENT ACCOUNT

Mr. LeRoy presented the following:

WHEREAS, the Wayne County Highway Department has the need to replace a 1993 Case Excavator; and the County Highway Superintendent requested to advertise to purchase on (1) 2010 or newer rubber tired excavator and was granted approval in Resolution 203-10; and

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for rubber tired excavator for the County Highway Department, and the bids were open on Thursday, April 1, 2010 at 10:00 a.m. and the following bids were received:

Southworth Milton CAT	M316D	\$217,913
George & Swede	Hyundai 200W-7A	\$162,990
Vantage Equipment	Volvo EW160C	\$190,805
Vantage Equipment	Volvo EW180C	\$206,325

and

WHEREAS, the Hyundai excavator specification had 13 bid exceptions, the Volvo 160C had 10 bid exceptions and the Volvo 180C had 8 bid exceptions; and the M316D excavator as submitted by Southworth Milton CAT meets or exceeds all of the specifications described in the bid; now, therefore, be it

RESOLVED, that the bid submitted by Southworth Milton CAT of Batavia, NY in the bid price of \$ 217,913 in accordance with the specifications, is hereby accepted; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with Southworth Milton CAT in accordance with the bid acceptance; and be it further

RESOLVED that the County Treasurer is hereby authorized and directed to transfer \$13,288.25 from the General Fund Contingency Account as following:

A1990-CONTINGENT FUND GEN:

\$13,288.25 from .54000

A9901-INTERFUND TRANSFERS:

\$13,288.25 to .59400 Transfer-Machinery

DM5130 Road Machinery

\$13,288.25 to .52400 – Highway And Street Equipment

DM9999-OTHER:

\$13,288.25 to .45031 Interfund Transfers

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

Mr. Spickerman addressed the Board to state that he felt Wayne County did not need to purchase expensive, high quality equipment to be able to get the job done; and further added that the difference in this cost savings could be put towards projects like the completion of the Erie Canal Trail.

Upon roll call, all Supervisors voted Aye, except Supervisors Spickerman, Crane, Collier and Lauderdale who voted Nay. The Chairman declared the Resolution adopted.

RESOLUTION NO. 345-10: AUTHORIZATION TO ALLOW HIGHWAY SUPERINTENDENT TO PURCHASE USED ITEMS LISTED ON THE OGS FEDERAL SURPLUS PROPERTY WEBSITE

Mr. LeRoy presented the following:

WHEREAS, the Wayne County Highway Department often has a need to replace equipment; and the replacement item does not always need to be a new piece of equipment; and

WHEREAS, the Federal Government will periodically offer surplus equipment for sale to municipalities through the OGS website listing service, some of which is located across New York State; and items that may be beneficial to the Highway Department may include:

Road Grader	Dozer
Forklift	Trucks
Drum Rollers	Generators
Pumps	Storage Trailer/containers
Water/Fuel tanks	Shop equipment

and

WHEREAS, the items are listed on the website with a purchase price on a first come-first serve basis so it is imperative to be able to move quickly on a desired piece of equipment; now, therefore, be it

RESOLVED, that the Chairman of the Board, Public Works Committee Chairman, Finance Committee Chairman and the County Administrator shall authorize the Highway Superintendent to purchase any useful replacement items as listed above from the Federal Surplus Website prior to a purchase being made, and be it further

RESOLVED, the Superintendent will at the next regular schedule meeting of the Public Works Committee, report any such approved purchases in detail and items purchased from the Federal Surplus website will be paid for with funds from DM5130.52500 Other Equipment; and be it further

RESOLVED, that any current piece of equipment that is being replaced be declared surplus and sent to the next municipal auction; and be it further

RESOLVED, that the County Treasurer is directed to transfer \$10,000.00 from A387801-Capital Machinery Reserve to the following:

A9901-INTERFUND TRANSFERS:

\$10,000.00 to .59400 Transfer-Road Machinery

DM5130-ROAD MACHINERY:

\$10,000.00 to .52500 Other Equipment

DM9999-OTHER:

\$10,000.00 to .45031 Interfund Transfers

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

RESOLUTION NO. 346-10: AUTHORIZATION TO ENTER AGREEMENT WITH THE

TOWN OF ONTARIO FOR ROAD SIDE MOWING

Mr. LeRoy presented the following:

WHEREAS, the Town of Ontario has expressed interest in providing roadside mowing services on county roadways in the Town of Ontario as they have done in the past several years; and the roadside mowing in Ontario benefits the town and county; and

WHEREAS, the Town of Ontario does 4 complete mowings on Wayne County roads within the Town of Ontario with a total of 25.5 miles; 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 the Town of Ontario for mowing county road sides located in the town at a rate of \$215.00 per mile for the 2010 season.

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

RESOLUTION NO. 347-10: AUTHORIZATION TO COMPENSATE CLEASON HORST FOR EASEMENTS REQUIRED FOR THE CREAGER ISLAND BRIDGE PROJECT

Mr. LeRoy presented the following:

WHEREAS, the Creager Island Bridge replacement project will require one permanent and one temporary easement from Cleason Horst in order to complete the construction efforts at the bridge; and since the project is being progressed with Federal Funds through the NYS DOT, there are certain criteria that must be followed in regards to the acquisition of any proper; and

WHEREAS, the design consultant has utilized the services of a certified appraisal firm to determine the value of the easements to be \$1900 for the permanent easement and \$100 for the temporary easement; and once the payment is made and the easements filed, the NYS DOT will issue a ROW clearance certificate and the project can be advertised for bid; 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 Mr. Horst for payment of \$2000; and be it further

RESOLVED, that the County Treasurer is authorized to make payment in the amount of \$2000 to Mr. Horst from project account D5112 52686 – Creager Island.

Mrs. Collier moved the adoption of the resolution. Seconded by Mr. Hammond.

Mr. Lauderdale moved, seconded by Mr. Manktelow, that the resolution title be amended to change the word "REIMBURSE" to "COMPENSATE", as follows:

"RESOLUTION NO. 347-10: AUTHORIZATION TO COMPENSATE CLEASON HORST FOR EASEMENTS REQUIRED FOR THE CREAGER ISLAND BRIDGE PROJECT"

Upon roll call, the Chairman declared the amended resolution adopted.

RESOLUTION NO. 348-10: AUTHORIZATION TO RESTRUCTURE REPRESENTATIVES TO THE WAYNE COUNTY WATER QUALITY COORDINATING COMMITTEE (WQCC)

Mr. LeRoy presented the following:

WHEREAS, pursuant to Resolution No. 287-92 recognizing the Wayne County Water Quality Coordinating Committee as the Lead Agency for planning and coordinating water quality initiatives in Wayne County and this action is recommended by the Wayne County Soil and Water Conservation District; now, therefore, be it

RESOLVED, that the current WQCC representatives be split into two groups: Voting Members and Advisory Members. Voting Members will include: Wayne County Soil and Water Conservation District, Wayne County Planning Department, Cornell Cooperative Extension of Wayne County, Wayne County Board of Supervisors, Wayne County Water

and Sewer Authority, Wayne County Highway Department, and one at-large member. Advisory Members will include: NYS Department of Environmental Conservation, NYS Department of Health, NYS Soil and Water Conservation Committee, Wayne County Office of Publicity and Tourism, Wayne County Fishery Advisory Committee, USDA-Natural Resource Conservation Service, USDA-Farm Service Agency, and Wayne County Farm Bureau.

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

RESOLUTION NO. 349-10: RESOLUTION -- SET DATE OF PUBLIC HEARING FOR PROPOSED LOCAL LAW TO APPROVE THE ALLOCATION OF ZONE LANDS FOR A MANUFACTURING PROJECT FOR A REGIONALLY SIGNIFICANT PROJECT AS DETERMINED BY THE ZONE ADMINISTRATIVE BOARD AND THE NEW YORK STATE DEPARTMENT OF ECONOMIC DEVELOPMENT LAW

Mr. Spickerman presented the following:

RESOLVED, pursuant to Section 20 of the municipal Home Rule Law, the Board of Supervisors shall hold a public hearing on Tuesday, June 15, 2010 at 7:15 p.m. in the Supervisors Chambers in the County Court House, 26 Church Street, Lyons, New York, on the following proposed local law:

A local law to approve the allocation of zone lands for Berry/Pliant, a Manufacturing project for a regionally significant project as determined by the Zone Administrative Board and the New York State Department of Economic Development Law.

COUNTY OF WAYNE – STATE OF NEW YORK

WHEREAS, Berry/Pliant is expanding their business activities at an expanded and upgraded facility located on Route 31 in the Town of Macedon, NY; and

WHEREAS, this expansion project will add 50 jobs that support their on-site manufacturing retain 610 jobs; and

WHEREAS, the project is not within the Wayne County Empire Zone boundaries; and

WHEREAS, the New York State Department of Economic Development has determined that the proposed project is eligible for Empire Zone benefits as a regionally significant project under Section 957(d)(i) of the General Municipal Law; and

WHEREAS, the Zone Administrative Board of the Wayne County Empire Zone has determined that the proposed project is eligible for Empire Zones benefits as a regionally significant project under Section 957(d)(i) of the General Municipal Law; now, therefore, be it

RESOLVED, that the Board of Supervisors of the County of Wayne approves the allocation of zone lands for the proposed expansion of Berry/Pliant manufacturing project for a regionally significant project as determined by the Zone Administrative Board and the New York State Department of Economic Development Law, said zone lands to constitute the property described in Appendix A hereto; and be it further

RESOLVED, that the Wayne County Board of Supervisors hereby requests that the New York State Commissioner of Economic Development approve this addition to the Wayne County Empire Zone as described in Section 1.

This local law shall take effect upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to give at least five days notice of such hearing by posting such notice upon the bulletin board at the County Court House, Lyons, New York, and by publishing such notice at least once (1) in the official newspapers of the County of Wayne.

Mr. Spickerman moved, seconded by Mr. Lauderdale, to amend the resolution by replacing the forth and fifth "WHEREAS" clauses, as follows:

“WHEREAS, pending the New York State Department of Economic Development determination that the proposed project is eligible for Empire Zone benefits as a regionally significant project under Section 957(d)(i) of the General Municipal Law; and

WHEREAS, pending the Zone Administrative Board of the Wayne County Empire Zone determination that the proposed project is eligible for Empire Zones benefits as a regionally significant project under Section 957(d)(i) of the General Municipal Law; now, therefore, be it”

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

RESOLUTION NO. 350-10: AUTHORIZATION TO APPOINT MEMBERS TO THE EMPIRE ZONE ADMINISTRATIVE BOARD

Mr. Spickerman presented the following:

WHEREAS, Wayne County received designation of the Empire Zone; and Resolution No. 833-02 established the Empire Zone Administrative Board; and the terms of Christopher Edgar and Joseph DeSanto have expired; now, therefore, be it

RESOLVED, that Christopher Edgar and Joseph DeSanto are hereby reappointed to the Empire Zone Administrative Board for three year terms expiring December 31, 2012; and be it further

RESOLVED, that the positions to be held by educational institution and local business remain vacant until appropriate appointments can be made.

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

RESOLUTION NO. 351-10: AUTHORIZE JOINT MUNICIPAL IMPROVEMENT PROJECT FOR THE TOWN OF ARCADIA, IN PARTNERSHIP WITH THE TOWN OF LYONS AND THE VILLAGE OF NEWARK

Mr. Spickerman presented the following:

WHEREAS, pursuant to Resolution No. 232(73), as amended by Resolution No. 263(73) and Resolution No. 291(73), the Board of Supervisors has established a Joint Municipal Improvement Project Fund which provides County funding for a portion of the cost of approved Town or Village improvement projects for development of public facilities related to retail business activity; and

WHEREAS, the Town of Arcadia, in partnership with the Town of Lyons and the Village of Newark have requested the County to provide funding from the Joint Municipal Improvement Project for costs associated with the extension of the Erie Canal Trail from Route 88 in the Village of Newark to the western boundary of the Village of Lyons, which will link the central business districts of Newark and Lyons and enhance tourism and visitor revenues for businesses in both communities; and

WHEREAS, these projects are consistent with the intent of the Joint Municipal Improvement Fund with regard to the development of public facilities related to retail business activity; and

WHEREAS, the total project cost is estimated to be \$1,122,513.00 with the Towns of Arcadia and Lyons and the Village of Newark contributing \$14,000 in cash each, the Town of Arcadia contributing \$98,000 of in-kind services for the construction of the trail, with the remaining funding from a NYSDOT Transportation Enhancements Program Grant; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes funding from the Joint Municipal Improvement Project for the Town of Arcadia, in partnership with the Town of Lyons and the Village of Newark, in the amount of one-third the total project cost

or \$86,000, whichever is less.

Mr. Spickerman moved, seconded by Mr. Groat to amend the forth "WHEREAS" and the "RESOLVED" clauses as follows:

"WHEREAS, the total project cost is estimated to be \$1,122,513.00 with the Towns of Arcadia and Lyons and the Village of Newark contributing \$22,600 in cash each, the Town of Arcadia contributing \$98,000 of in-kind services for the construction of the trail, with the remaining funding from a NYSDOT Transportation Enhancements Program Grant; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes funding from the Joint Municipal Improvement Project for the Town of Arcadia, in partnership with the Town of Lyons and the Village of Newark, in the amount of one-third the total project cost or \$60,000, whichever is less."

Mr. Colacino addressed the Board to request members to support efforts associated with the extension of the Erie Canal Trail; believing that this endeavor will enhance tourism and visitor revenues for businesses in both communities.

There were several discussions that took place to express, both support and opposition for the proposed funding of this project.

Reasons of supporting the completion of the Erie Canal Trail included, this project being a viable part of our County heritage; to enhance business and tourism opportunities; support the green effort to promote health and wellness in our communities, as well as, the importance of connecting Lyons and Newark together by completing this missing piece of the trail puzzle.

Some words of opposition entailed, comments pertaining to the current New York State and Federal budget crisis that everyone is facing and town constituents contacting their Supervisors to vote against this proposed resolution. A comment was added, stressing that even though all Board Members understand the importance of the completion of this trail, one cannot justify possibly not having funds available to plow snow for the upcoming winter season. Not providing an itemized budget to detail a fund outline for the trail provided another reason for opposition.

The Chairman called for a vote for the resolution on the floor.

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

RESOLUTION NO. 352-10: RESOLUTION CHANGING THE AUGUST 2010 DATE AND PLACE OF THE BOARD OF SUPERVISORS MEETING AND CHANGING CERTAIN AUGUST COMMITTEE MEETING DATES AND TIMES

Mrs. Collier presented the following:

WHEREAS, the Wayne County Board of Supervisors desires to hold its August 2010 meeting at the Wayne County Fairgrounds during fair week; and the 2010 Wayne County Fair is scheduled for August 9 through August 14; and

WHEREAS, the Chairman of the Board of Supervisors has been advised that there will be no admission charge to fairgoers during the day on August 9, 2010 until 2:00 p.m.; and holding the Board meeting during fair week will necessitate altering some Committee meeting dates and the Board meeting date for August; now, therefore, be it

RESOLVED, that the August Committee Meetings will be held in the usual venue at 26 Church Street, Lyons, NY on the dates and times listed below:

HUMAN SERVICES	Monday, August 2 at 8:30 AM
HEALTH AND MEDICAL	Monday, August 2 at 10:00 AM

ECONOMIC DEVELOPMENT AND PLANNING	Monday, August 2 at 2:00 PM
PUBLIC WORKS	Tuesday, August 3 at 8:00 AM
RELOCATION COMMITTEE	Tuesday, August 3 at 1:30 PM
PUBLIC SAFETY	Wednesday, August 4 at 9:00 AM
GOVERNMENT OPERATIONS	Wednesday, August 4 at 2:00 PM
FINANCE COMMITTEE	Friday, August 6 at 9:00 AM

and be it further

RESOLVED, that the August Wayne County Board of Supervisors meeting will be held at Entertainment Alley at the Wayne County Fairgrounds in Palmyra, NY on August 9, 2010 at 10:00 a.m.; and be it further

RESOLVED, that the Board of Supervisors meeting scheduled for Tuesday, August 17, 2010 is hereby cancelled.

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

RESOLUTION NO. 353-10: AUTHORIZATION TO EXECUTE AGREEMENT FOR WAYNE COUNTY BOARD OF ELECTIONS FOR WAYNE COUNTY FAIR BOOTH

Mrs. Collier presented the following:

WHEREAS, the Wayne County Board of Elections has received grant funds for Voter Education Outreach for the purpose to demonstrate the new voting process with the new ImageCast voting machine to voters in Wayne County; and the Board of Elections has developed a plan of outreach throughout the County; and

WHEREAS, the Wayne County Fair in Palmyra will provide a significant opportunity to reach out to the public to demonstrate this new voting process; therefore be it

RESOLVED, that the Chairman of the Board is hereby authorized to execute a contract on behalf of the Wayne County Board of Elections with the Union Agricultural Society at Palmyra for booth rental and worker passes at a total cost not to exceed \$360.00:

2 booths	\$330.00
6 worker passes	<u>30.00</u>
Total Cost	\$360.00

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

RESOLUTION NO. 354-10: RESOLUTION AUTHORIZING THE APPOINTMENT OF THE MEMBERS OF THE COMPLIANCE COMMITTEE AS REQUIRED IN THE WAYNE COUNTY COMPLIANCE PLAN

Mrs. Collier presented the following:

WHEREAS, Resolution 96-10 established a Compliance Policy and Plan for Wayne County; and the Compliance Plan requires a Compliance Committee to maintain the Compliance Plan, report Compliance issues to the Compliance Officer, direct annual audit activities of the program, identify individual department risk standards, and to advise and assist the Compliance Officer with implementation of the Compliance Plan; and

WHEREAS, the Compliance Plan indicates that the Compliance Officer shall recommend members of the Compliance Committee and that the Chairman of the Board of Supervisors shall designate a Board of Supervisors Representative; and the Chairman of the Board of Supervisors has designated Supervisor Bender as the Board Representative; and

WHEREAS, the Compliance Officer has recommended the following individuals as representatives of those departments required to be part of the Compliance Committee be appointed as members of the Compliance Committee: James Haitz, Margaret Haroff, Diane Devlin, Penny Shockley; and the Compliance Officer, in addition to the required representatives has recommended Human Resources Director Charles Dye and

Superintendent of Highways Kevin Rooney be appointed to the committee; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby affirms that the Compliance Committee shall be comprised of the following individuals: Supervisor Jolene Bender, James Haitz, Margaret Haroff, Diane Devlin, Penny Shockley, Charles Dye, and Kevin Rooney.

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

RESOLUTION NO. 355-10: AUTHORIZATION TO REVISE THE WAYNE COUNTY WORKPLACE VIOLENCE PREVENTION POLICY

Mrs. Collier presented the following:

WHEREAS, the Wayne County Board of Supervisors adopted resolution 302-07 on April 17, 2007 establishing the Workplace Violence Prevention Policy, in accordance with New York State Labor Law section 27-b; and final rules issued by the NYS Department of Labor require that the existing policy be revised to include a role for "established employee representatives"; and

WHEREAS, the County has solicited additional comments from the various County employee unions and has incorporated clarifying suggestions from them into the revised plan; now, therefore, be it

RESOLVED that the attached revised policy document dated May 19, 2010 is hereby adopted by the Wayne County Board of Supervisors and copy of said policy is hereby on file with the Clerk of the Board.

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

RESOLUTION NO. 356-10: AUTHORIZE TO AMEND 2010 BUDGET TO RECOGNIZE RECEIPT OF TWO HOFFMAN GRANTS IN JANUARY 2010

Mrs. Collier presented the following:

WHEREAS, funds have been received in January 2010 by Wayne County from a Hoffman Foundation Grant in the amount of \$2,000 (\$1,000 + \$1,000) to provide funding for necessary essay preservation projects; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to amend the 2010 Budget to reflect the necessary changes to the following accounts and line items in Historians Budget A7510:

A7510-COUNTY HISTORIAN:

Revenue: \$2,000.00 to .42090 Hoffman Foundation

Expense: \$2,000.00 to .54484 Hoffman Foundation

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

RESOLUTION NO. 357-10: AUTHORIZATION FOR MENTAL HEALTH DEPARTMENT TO ABOLISH A STAFF SOCIAL WORKER POSITION AND TO CREATE A COMMUNITY MENTAL HEALTH PROFESSIONAL POSITION, AND AMEND THE 2010 BUDGET

Ms. Park presented the following:

WHEREAS, Resolution No. 212-10 authorized the Mental Health Department to create several new positions in accordance with the 2010 Budget; and one of these previously authorized positions included a Staff Social Worker position; and

WHEREAS, due to recent changes in program needs combined with changing recruitment opportunities, the Director of Mental Health would now like to abolish a previously authorized Staff Social Worker position and to create a Community Mental Health Professional position, and by doing so this will expand the potential pool of qualified

applicants which will better facilitate the recruitment process to fill this vacancy and ultimately better meet program needs; now, therefore, be it

RESOLVED, that the Mental Health Department is authorized to abolish one Staff Social Worker position, previously authorized to be created in Resolution No. 212-10, and to create one Community Mental Health Professional position; and be it further

RESOLVED that the County Treasurer is hereby directed to amend the 2010 Budget as follows:

A4300-BEHAVIORAL HEALTH:

\$50,818 from .51322.M7220 Staff Social Worker

\$50,818 to .51325.M7220 Community Mental Health Professional

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

RESOLUTION NO. 358-10: AUTHORIZING TO PURCHASE EQUIPMENT FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the 2010 budget reflects the lease of the equipment for the Telemedicine Program at the Wayne County Nursing Home; and it has now been determined that to purchase the equipment rather than lease it is more cost effective; now, therefore, be it

RESOLVED, that the following equipment needed to establish a Telemedicine Program at the Wayne County Nursing Home be authorized for purchase:

<u>Item#</u>	<u>Description Requisition #</u>	<u>Qty</u>	<u>Unit Price</u>	<u>Total</u>
TANDBERG Flat Panel Display				
	Pkg incl 52" 1080P LCD Display w/wall mount	1	4450.00	4450.00
TANDBERG Edge 95 MXP				
	w/TANDBERG Precision HD Camera, NPP and MS	1	8550.00	8550.00
Direct Response Maintenance Package-Edge95,				
	1 yr replacement parts, telephone support	1	790.00	790.00
AMD 2500 General Exam Camera		1	5490.00	5490.00
AMD-2505 Disposable Tip covers/2500		1	50.00	50.00
AMD-2525 Tripod		1	65.00	65.00
				<u>TOTAL \$19,395.00</u>

and be it further

RESOLVED, that the County Treasurer hereby amend the 2010 County Budget as follows:

E6000-NH COMBINED:

\$19,395.00 from .54938-E7200 Medical Equipment Rental

\$19,395.00 to .52000-E8410 Equipment & Other Cap Outlay

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

RESOLUTION NO. 359-10: AUTHORIZE AMENDMENT OF CURRENT AGREEMENT FOR HOSPICE CARE SERVICES FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the County of Wayne currently has an agreement with Lifetime Care for the provision of Hospice services at no cost to the nursing home; and Lifetime Care revised the agreement effective April 2, 2010 to ensure it complies with all Federal and State requirements; and

WHEREAS, the revised agreement has been reviewed and recommended; now, therefore, be it

RESOLVED, the Chairman of the Wayne County Board of Supervisors is authorized to amend the agreement with Lifetime Care for the provision of Hospice Care services at the Wayne County Nursing Home effective April 2, 2010 subject to the County Attorney's

approval as to form and content.

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

RESOLUTION NO. 360-10: AUTHORIZING TO PURCHASE EQUIPMENT FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the budgeted items consisting of two 4-wheeled walkers; one Platform Walker, and one Drop Arm Commode are no longer required; and it has been determined that the walkers and commode totaling \$1,500.00 will not be purchased; and

WHEREAS, more office furniture is needed in the Rehab area and the cost of the office furniture is \$1,615.16; and

WHEREAS, this item was not previously included in the 2010 equipment addendum; now, therefore, be it

RESOLVED, that the Wayne County Nursing Home is authorized to purchase office equipment and will not purchase the two 4-wheeled walkers; one Platform Walker, and one Drop Arm Commode:

Description	Qty	Unit Price	Total
<u>Office Equipment</u>			
2 workstations; 2 shelves; bridge Caitlin Office Interior NYS contract #PC63361	1	960.15	960.15
<u>Filing Cabinet</u>			
Caitlin Office Interior NYS contract #PC63361	1	655.01	655.01
Shipping and Handling			<u>00.00</u>
Total			1,615.16

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

RESOLUTION NO. 361-10: AUTHORIZING THE CHAIRMAN OF THE WAYNE COUNTY BOARD OF SUPERVISORS TO AMEND THE CURRENT AGREEMENT WITH STERICYCLE

Ms. Park presented the following:

WHEREAS, the Wayne County Nursing Home currently contracts with Stericycle for the period of January 1, 2010 – December 31, 2010 at the economy fee of \$242 a month based on thirteen (13) stops a year and any additional stops at \$150; and the medical waste container pickups have increased over the year by 36 which is over the contracted amount of 35 total medical waste containers per year; and

WHEREAS, Resolution No. 666-09 must be amended to reflect a new monthly fee of \$391 per month based on 13 stops per year for a maximum of 80 medical waste containers per year, and \$35 charge for each additional containers; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to amend the agreement with Stericycle effective April 1, 2010 at a fee of \$391 month based on 13 stops per year for a maximum of 80 medical waste containers per year, and \$35 charge for each additional containers subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 362-10: ACCEPTING BIDS FOR PURCHASE AND INSTALLATION OF CEILING LIFTS FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, by resolution # 211-10 the Board of Supervisors authorized the advertisement for the purchase and installation of (8) ceiling lifts for the Wayne County Nursing Home; and the Clerk of the Board of Supervisors has duly advertised the bid for

the ceiling lifts and the bids were opened on Friday, April 30, 2010 at 2:00 p.m. and the following bids were received; now, therefore, be it

RESOLVED, that the bid submitted by Access Solutions of Cheektowaga, NY for the bid price of \$55,453.00 for the purchase and installation of (8) ceiling lifts, in accordance with the specifications is hereby accepted; and be it further

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

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

RESOLUTION NO. 363-10: 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 the estimated costs include rental of 3 billboard spaces for a minimum of 30 days at \$600.00 each and poster production charges of \$150.00 each; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to purchase billboard space and posters from Lamar Advertising for the rental of 3 billboard spaces for a minimum of 30 days at \$600.00 each and poster production charges of \$150.00 each.

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

RESOLUTION NO. 364-10: AUTHORIZATION TO DECLARE EQUIPMENT AS SURPLUS FOR WAYNE COUNTY PUBLIC HEALTH

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) has had a printer/duplexer since 2005 and for which is no longer repairable; and WCPH wishes to declare the HP Laserjet 2430DTN printer/duplexer, SN# SCNGKC74667, as surplus equipment; now, therefore, be it

RESOLVED, that the Director of WCPH is hereby authorized to declare the HP Laserjet 2430DTN printer/duplexer, SN# SCNGKC74667, as equipment surplus; and be it further

RESOLVED, the Director of Building and Grounds is hereby authorized to dispose of this equipment as per policy and procedure.

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

RESOLUTION NO. 365-10: AUTHORIZATION TO CONTRACT WITH S²AY RURAL HEALTH NETWORK, INC. FOR AN EARLY INTERVENTION QUALITY IMPROVEMENT/QUALITY ASSURANCE INITIATIVE FOR WAYNE COUNTY PUBLIC HEALTH

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) has received American Recovery and Reinvestment Act (ARRA) for Early Intervention Administration; and WCPH has identified a need to perform a point in time quality improvement/quality assurance check on Early Intervention charts and to obtain further educational training in changes in Early intervention regulations; and

WHEREAS, WCPH has identified the S2AY Rural Health Network Inc. has the capability to perform such needs; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to

execute a contract with the S²AY Rural Health Network, Inc. on behalf of Wayne County Public Health, to perform Early Intervention quality improvement/quality assurance activities and educational trainings, for the period of May 1, 2010 to September 30, 2011, for a total cost of \$10,000, subject to the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 366-10: AUTHORIZATION TO AMEND RESOLUTION NO. 259-09 TO EXECUTE CONTRACT WITH PROVIDERS FOR EARLY INTERVENTION SERVICES

Ms. Park presented the following:

WHEREAS, the County is required to contract with approved providers of Early Intervention services or programs; and Thrive By 5 has received authorization from the New York State Department of Health (NYSDOH) to provide home based services, special education services, core and supplemental evaluations, speech therapy services, occupational therapy services, and physical therapy services to Early Intervention clients and Wayne County Public Health wishes to contract with Thrive By 5 for these services; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to execute a contract with Thrive By 5, 1951 Caleb Ave., Syracuse, NY 13206, subject to the approval of the County Attorney as to form and content, at the per session rate established by NYSDOH, for and amount not to exceed \$26,880.00, for the period of May 1, 2010 till June 30, 2011, to provide home based services, special education services, core and supplemental evaluations, speech therapy services, occupational therapy services, and physical therapy services to Early Intervention clients.

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

RESOLUTION NO. 367-10: AUTHORIZATION TO AMEND RESOLUTION NO. 257-09 AUTHORIZING CONTRACT WITH PROVIDER OF RELATED SERVICES FOR PRESCHOOL CHILDREN WITH HANDICAPPING CONDITIONS

Ms. Park presented the following:

WHEREAS, the County must contract for the provision of related services for preschool aged children with handicapping conditions, pursuant to Section 4410 of the Education Law; and Thrive By 5 has received authorization from the New York State Department of Health (NYSDOH) to provide speech therapy services, occupational therapy services, physical therapy services and parent counsel/training services and Wayne County Public Health (WCPH) wishes to contract with Thrive By 5 for these services; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to execute a contract, subject to the approval of the County Attorney as to form and content, with Thrive By 5, 1951 Caleb Avenue, Syracuse, NY 13206, for speech therapy, occupational therapy, physical therapy, and parent counsel/training at a rate of \$56/.5 hr 2009-2010; \$57/.5 hr 2010-2011, for pre-school children with handicapping conditions for the period of May 1, 2010 till June 30, 2011 in accordance with rates approved by the Health and Medical Services Committee of the Board of Supervisors.

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

RESOLUTION NO. 368-10: 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 Red Creek Central School for the 2010 - 2012 school years; and 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 Wayne-Finger Lakes BOCES , subject to the approval of the County Attorney as to content and form, for the period 7/1/10 to 6/30/2012, not to exceed \$33/per child per day.

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

RESOLUTION NO. 369-10: AUTHORIZATION TO PURCHASE A ONE YEAR ADVERTISING PACKAGE FROM ROSE BOWL LANES FOR THE STRIKE OUT CANCER CAMPAIGN FOR THE CANCER SERVICES PROGRAM OF WAYNE COUNTY

Ms. Park presented the following:

WHEREAS, there is money budgeted for the rental of space for the advertising for the screening promotion program; and using local pro-bowler Doug Kent the proprietor of Rose Bowl Lanes the costs include advertisements on back wall, side wall, next to scoring monitors and of the sweeps; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to purchase the advertisement package from Rose Bowl Lanes for the advertising for the screening promotion program on back wall, side wall, next to scoring monitors and of the sweeps for an amount not to exceed \$1,500.00 with said advertising being shown for the period August 1, 2010 to July 31, 2011.

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

RESOLUTION NO. 370-10: AUTHORIZATION TO RENT BILLBOARD SPACE FROM LAMAR ADVERTISING FOR THE STRIKE OUT CANCER CAMPAIGN FOR THE CANCER SERVICES PROGRAM OF WAYNE COUNTY

Ms. Park presented the following:

WHEREAS, there is money budgeted for the rental of space for the advertising for the screening promotion program; and Public Health will be using local pro-bowler Doug Kent to encourage Wayne County residents to get cancer screenings; and

WHEREAS, the estimated costs include rental of 7 billboard spaces for a minimum of 30 days at \$600 each and poster production charges of \$125 each: now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to purchase billboard space and posters from Lamar Advertising for the screening promotion program to include the rental of 7 billboard spaces for a minimum of 30 days at \$600 each and poster production charges of \$125 each.

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

RESOLUTION NO. 371-10: AUTHORIZATION TO ENTER INTO CONTRACTS WITH WAYNE COUNTY SCHOOL DISTRICTS AND ABCD CENTERS FOR ASSISTANCE IN H1N1 CLINICS

Ms. Park presented the following:

WHEREAS, the Wayne County Public Health received assistance in the implementation of H1N1 services from school districts and ABCD centers that hosted H1N1 clinics; and

WHEREAS, such services were as follows:

- Busing of students from schools within there district
- Organizing the distribution of clinic forms
- Organizing the attendance of consented students to the clinic
- Automated phone reminder notification to the homes of the student population
- Allowed schools to be open to the public for vaccinations of non-students
- Provided staff to assist with the flow of the clinic
- Provided space to conduct the H1N1 clinic

WHEREAS, the state has acknowledged a flat rate is an allowable expense through the H1N1 grant funding to pay for such services; and it is a requirement that a contract is executed with each provider for the period of Oct. 1, 2009 – March 31, 2010; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute contracts, upon review and approval as to form and content by the County Attorney, for the period of October 1, 2009 to March 31, 2010 with the following:

Lyons Central School District	\$2,000
Sodus Central School District	\$2,000
North Rose-Wolcott Central School district	\$2,000
Red Creek Central School District	\$2,000
Gananda Central School District	\$2,000
Williamson Central School District	\$2,000
Clyde-Savannah Central School District	\$2,000
Newark Central School District	\$2,000
Palmyra-Macedon Central School District	\$2,000
Marion Central School District	\$2,000
Wayne Central School District	\$2,000
Lake Ontario ABCD	\$1,000
Red Creek ABCD	\$1,000
St. Michaels	\$1,000

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

RESOLUTION NO. 372-10: AUTHORIZATION TO AMEND RES. 506-09 TO CONTRACT WITH WAYNE FINGER LAKES BOCES FOR TRANSPORTATION

Ms. Park presented the following:

WHEREAS, the County is required to provide transportation for children in the Pre-K program and currently has a contract with Wayne Finger Lakes BOCES to provide transportation; and the Lyons School District has a child that required aide assistance while on the bus due to safety issues; and

WHEREAS, this will require a daily cost modification of \$27.13 per day, or a total cost of \$3201.34 for the period of 12/18/2009 to 6/24/10; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to execute an amendment to the contract with the Wayne Finger Lakes BOCES to cover the cost of aide assistance for a total cost not to exceed \$3201.34 for the period of 12/28/09 to 6/24/10, subject to the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 373-10: AUTHORIZATION TO CONTRACT WITH MCBEE ASSOCIATES TO PROVIDE MEDICARE REVENUE RECOVERY SERVICES FOR THE CERTIFIED HOME HEALTH AGENCY

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) wishes to obtain services from McBee Associates to provide Medicare Revenue Recovery Services for episodes ending October 1, 2008 through December 31, 2009; and

WHEREAS, McBee Associates will provide the following services:

- Review the correct payment of all paid Medicare claims submitted by the Certified Home Health Agency (CHHA) during 10/1/08 to 12/31/09
- Recommend both positive and negative adjustments to Medicare claims
- Identify and adjust approved Medicare claims
- Provide detailed diagnostics of WCPH departments billing
- Recommend process improvements

- Identify any unpaid claims with episodes ending 10/1/08 to 12/31/09; these claims will be billed to Medicare by McBee Associates and tracked till final payment is received

WHEREAS, the fee for McBee Associates services for this project is a contingency fee of 27.3% of additional cash paid to the CHHA as a result of McBee Associates' review and rebilling of episodes: now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the Medicare Revenue Recovery Proposal with McBee Associates, subject to the approval of the County Attorney as to form and content, which authorizes McBee Associates to review the correct payment of all paid Medicare claims submitted by the Certified Home Health Agency (CHHA) during 10/1/08 to 12/31/09; recommend both positive and negative adjustments to Medicare claims; identify and adjust approved Medicare claims; provide detailed diagnostics of WCPH departments billing; recommend process improvements; identify any unpaid claims with episodes ending 10/1/08 to 12/31/09, these claims will be billed to Medicare by McBee Associates and tracked till final payment is received. McBee Associates will receive a total of 27.3% of the revenue collected from the unpaid Medicare claims; and be it further

RESOLVED, that the Wayne County Treasurer make the following transfers:

AA4019-WAYNE COMMUNITY NURSING CARE:

\$3,000.00 from .54452 Physical Therapy

\$3,000.00 to .54500 Fees for Services Non Employees

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

RESOLUTION NO. 374-10: AUTHORIZATION TO RENEW AGREEMENT WITH STERICYCLE, INC.

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) has need to dispose of medical waste, such as needles, syringes, and medications every month; and WCPH has received a renewal notice from Stericycle, Inc. to provide waste disposal service and WCPH wishes to continue this service; and

WHEREAS, Stericycle, Inc. will pick up and dispose of medical waste monthly for a cost of \$287.00 per month for the period of May 1, 2010 to April 30, 2011; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the Steri-Safe Service Agreement with Stericycle, Inc, upon review approval from the County Attorney as to form and content, at a cost not to exceed \$287.00 per month, for monthly pick up and disposal of medical waste that is incurred at the WCPH department for the period of May 1, 2010 to April 30, 2011.

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

RESOLUTION NO. 375-10: 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 the New York State Department of Health (NYSDOH) regulations for Early Intervention; and the County must advertise to receive bids for the transportation of preschool age children during the period of 9/1/10 to 8/31/12; now, therefore, be it

RESOLVED that the Clerk of the Board of Supervisors is hereby authorized to advertise for bids for the transportation of preschool age children during the period of 9/1/10 to 8/31/12, 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. LeRoy moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, adopted.

RESOLUTION NO. 376-10: AUTHORIZATION TO AMEND RESOLUTION NO. 521-09 TO INCLUDE A NEW TRANSPORTATION ROUTE FOR CHILDREN OF PRESCHOOL AGE WITH PHYSICALLY HANDICAPPING CONDITIONS

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) has a contract with Arcadia Transportation to provide transportation for preschool age children with handicapping conditions; and

WHEREAS, WCPH has obtained a new child who has recently moved into Wayne County and the parents of this child would like to continue with the same provider rendered by the previous County; and

WHEREAS, the County is required to provide service pursuant to Public Health Law 2500-a, 2500-e, Article 25, Title II-A, Sec 69-4.17; and

WHEREAS, a new route has been created with Arcadia Transport at a cost \$245.00 per day with a \$15.00 per day fuel charge starting on March 8, 2010 through June 24, 2010; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to amend Resolution No. 521-09 and create a new route with Arcadia Transport at a cost of \$245.00 per day with a fuel cost of \$15.00 per day from March 8, 2010 to June 24, 2010, subject to the approval of the County Attorney as to form and content.

Ms. Park moved, seconded by Mr. Plant, to amend the resolution by replacing the third "WHEREAS" clause as follows:

"WHEREAS, the County is required to provide transportation pursuant to Public Health Law Section 2559a and Section 10 NYCRR 69-419; and"

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

RESOLUTION NO. 377-10: AUTHORIZATION TO ABOLISH A PART-TIME RN POSITION/CREATE A FULL-TIME CASEWORKER POSITION AND ABOLISH A FULL-TIME SENIOR CASEWORKER POSITION/CREATE A PART-TIME SENIOR CASEWORKER POSITION

Mrs. Crane presented the following:

WHEREAS, the Department of Aging and Youth was awarded a three-year Resident Opportunities and Self-Sufficiency (ROSS) grant to provide part-time case management services for disabled and elderly individuals who reside at the Newark Housing Authority's 200 East apartment complex (Newark Highrise); and the current case manager has informed our department that she plans to retire effective April 30, 2010 and the department needs to fill this position to be in compliance with the terms of the grant; and

WHEREAS, the terms of the grant require the case manager to hold a bachelor's degree in human services or a related field; and

WHEREAS, the current case manager holds a bachelor's degree in social work and is also a registered nurse; and

WHEREAS, the grantor allowed the position to be funded at the higher RN rate of pay; and

WHEREAS, a current Department employee who is not a registered nurse has been selected to fill this position; and

WHEREAS, the Department currently has a full-time Senior Caseworker position vacant; and

WHEREAS, in addition to other employee and program supervision duties, the Senior Caseworker also supervises the Department's two caseworkers as required by New York State Office for the Aging regulations; and due to increasing program participation, the Senior Caseworker also now carries a caseload of approximately fifteen cases; and

WHEREAS, the timing of these vacancies has allowed the Department to re-evaluate its staffing needs and to reorganize staffing to meet the needs of the department more closely; and given the uncertainty of the Department's federal, state, and local funding sources, the Department wishes to be proactive in identifying cost containment measures; now, therefore, be it

RESOLVED, that authorization is given to abolish one part-time RN position (job rate \$27.19, pay grade 33) and create a full-time caseworker position (job rate of \$21.99 pay grade 29); and

RESOLVED, that the position is contingent on grant funding and will be eliminated if grant funding is not available; and

RESOLVED, that authorization is given to abolish a full-time Senior Caseworker position (job rate \$22.81, pay grade 30) and create a part-time Senior Caseworker position (hire rate \$20.37, pay grade 30); and be it further

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to make the following modifications to the following accounts.

A6772-Area Agency on Aging:

\$13,680.00 from .51283 RN Part time

\$ 8,804.00 from 51362 Sr. Caseworker

\$22,484.00 to .51253 Caseworker

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

RESOLUTION NO. 378-10: AUTHORIZATION TO CONTRACT WITH LANGUAGE LINE INTERPRETER SERVICES FOR THE WAYNE COUNTY DEPARTMENT OF AGING AND YOUTH

Mrs. Crane presented the following:

WHEREAS, the New York State Office for the Aging requires local Area Agencies on Aging to assure that they are able to provide services to older individuals with limited English proficiency and Language Line Services is authorized by New York State to provide on-demand interpretive services; and

WHEREAS, in order to receive these services, the Department must sign a State of New York Service Agreement Contract and the rate is based on language and the charge per minute ranges from \$.90 to \$.99; and

WHEREAS, the Wayne County Department of Aging and Youth will be billed only for services used; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors to 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 the Language Line Services State of New York, for the period of May 18, 2010 through August 9, 2012, agreeing for the Wayne County Department of Aging and Youth to pay for the on demand interpretive service ranging from \$.90 to \$.99 per minute.

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

RESOLUTION NO. 379-10: AUTHORIZATION TO REMOVE AND APPOINT YOUTH BOARD MEMBERS

Mrs. Crane presented the following:

WHEREAS, the New York State Office for Children and Family Services requires each Youth Bureau to have an advisory Youth Board; and Norine Orsini, town of Williamson representative requests to be removed as a member of the Wayne County

Youth Board due to change in circumstances; and William Campbell, Director of the Palmyra Community Center has agreed to represent the Town of Palmyra; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby appoints William Campbell to the Wayne County Youth Board for a term of three years, ending May 2013 and removes Norine Orsini from the Youth Board.

William S. Campbell – Director
Palmyra Community Center
424 Stafford St. PO Box 404
Palmyra, NY 14522

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

RESOLUTION NO. 380-10: AUTHORIZATION TO EXECUTE CONTRACT WITH CATHOLIC CHARITIES FOR EARLY/CRISIS INTERVENTION SERVICES

Mrs. Crane 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 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 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 7/1/10-6/30/11 timeframe at a cost not to exceed \$59,165.

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

RESOLUTION NO. 381-10: AUTHORIZATION TO EXECUTE CONTRACT WITH ARC FOR THE PROVISION OF INTENSIVE CASE MANAGEMENT FOR THE WORKING IMPAIRED

Mrs. Crane 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 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; 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 to provide Intensive Case Management for the Working Impaired for the timeframe 7/1/10-6/30/11 at a cost not to exceed \$61,250 and subject to review by the County Attorney as to form and content.

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

RESOLUTION NO. 382-10: AUTHORIZATION TO EXECUTE AGREEMENT WITH WAYNE COUNTY WORKFORCE DEVELOPMENT FOR THE PROVISION OF A SUMMER YOUTH EMPLOYMENT PROGRAM

Mrs. Crane 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 Workforce Development has both the capability and the interest in providing summer youth employment programming during the summer 2010 timeframe; now, therefore, be it

RESOLVED, that the Commissioner of the Wayne County Department of Social Services is hereby authorized to enter into an agreement with Wayne County Workforce Development contingent upon inclusion in the NYS Budget, for the provision of a summer youth employment program at an amount not to exceed the amount of \$70,000, provided by NYS Budget, for the timeframe 5/1/10-9/30/10, subject to the review and approval of the County Attorney.

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

RESOLUTION NO. 383-10: AUTHORIZATION TO CONTRACT WITH VICTIM RESOURCE CENTER OF THE FINGER LAKES, INC. FOR DOMESTIC VIOLENCE SERVICES

Mrs. Crane presented the following:

WHEREAS, Services for victims of Domestic Violence and their families/children are an important component of reducing child abuse; and 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 with the families served; 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 7/1/10-6/30/11.

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

RESOLUTION NO. 384-10: AUTHORIZE CONTRACT WITH WAYNE COUNTY ASSOCIATION OF RETARDED CITIZENS FOR CHILD ONLY SERVICES

Mrs. Crane presented the following:

WHEREAS, it is a high priority to break the cycle of poverty and dependence on government cash subsidies, and this program has been successful at moving children/youth into employment and military service; and

WHEREAS, this service has been recognized State-wide 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 7/1/10-6/30/11; and be it further

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

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

RESOLUTION NO. 385-10: AUTHORIZE CONTRACT FOR WAGE SUBSIDY PROGRAM WITH WAYNE ASSOCIATION FOR RETARDED CITIZENS

Mrs. Crane presented the following:

WHEREAS, New York State has been notified that it needs to meet Federal Participation Rates; and 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 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 7/1/10-6/30/11.

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

RESOLUTION NO. 386-10: AUTHORIZE CONTRACT WITH WAYNE COUNTY ACTION PROGRAM FOR FAMILY VIOLENCE PARENT EDUCATION SERVICES

Mrs. Crane presented the following:

WHEREAS, services for families with violence issues are an important component in reducing child abuse; and 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 with the families served; 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 Wayne County Action Program for Family Violence Parent Education Services to a cost not to exceed \$18,000 for the time frame 7/1/10-6/30/11; and be it further

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

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

RESOLUTION NO. 387-10: AUTHORIZE AGREEMENT BETWEEN WAYNE DSS AND WORKFORCE DEVELOPMENT FOR EMPLOYMENT RELATED SERVICES

Mrs. Crane presented the following:

WHEREAS, the Workforce Development office has provided services to the Wayne County Department of Social Services (DSS) to help individuals secure training, employment and job-seeking services; and Wayne DSS is desirous of expanding the scope of the services provided by Workforce Development to include providing employment orientation, assessment, worksite developing and monitoring and other employment related duties; and

WHEREAS, this expansion is designed to effect higher participation and employment rates in the target population; and Workforce Development will need additional resources and financial support to accomplish this full gamut of tasks added to those services it already provides; now, therefore, be it

RESOLVED, that the Commissioner of Social Services and the Director of Workforce Development are hereby authorized to enter into an agreement, subject to the County Attorney's review as to form and content, for the provision of employment-related services at a cost not to exceed \$500,000 during the timeframe 7/1/10-6/30/11.

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

RESOLUTION NO. 388-10: APPROVAL OF FINGER LAKES WORKFORCE INVESTMENT BOARD APPOINTMENTS

Mrs. Crane presented the following:

WHEREAS, this Board, has authorized the creation of the Finger Lakes Workforce Development Board for the Counties of Wayne, Yates, Seneca and Ontario in compliance with the Workforce Development Investment Act (WIA) of 1998; and the Workforce Investment Board members must be appointed by the respective Legislative Boards; and

WHEREAS, the Executive Director has solicited nominations in accordance with the Law; and the Finger Lakes Workforce Investment Board By-Laws state voting members shall be appointed for terms of three (3) years, and that terms shall be staggered; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors does hereby appoint the following representatives to the Finger Lakes Workforce Investment Board to fill a three (3) year term from:

Reappointments:

7/1/10 – 6/30/13

Peg Churchill – Economic Development

Nicolette Leathersich- VESID

Robert Leiby – K – 12 School Superintendent

Michael Manikowski – Economic Dev.

Clark Culver – Union

Orlando Rivera–Migrant & Seasonal Farm workers - Pathstone

Dr. Barbara Risser – FLCC

Colleen Combs – Union

Jocelyn VanGelder – NYS DOL

To Fill Currently Vacant VA membership, 5/1/10 – 6/30/13

Kevin O'Hagan - Veteran

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

RULE 15 RESOLUTIONS

RESOLUTION NO. 389-10: AUTHORIZATION TO SURPLUS ONE 225 MERCURY OUTBOARD BOAT MOTOR

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office has declared surplus a 2001 225 Mercury outboard boat motor serial number 06350046 that was used on the 22' Zodiac since April 23 2001; and the above stated outboard motor have been in-service since 2001 and was removed from service July 2009, is no longer in operating order, and the cost to repair is more than the value of the motor; and WHEREAS, the Wayne County Sheriff's Office is requesting to surplus the aforesaid outboard motors, and remove it from its inventory; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to surplus the aforesaid outboard motor and remove it from the inventory; and be it further

RESOLVED, that the Wayne County Treasurer is hereby directed to place any proceeds from the sale of the aforesaid outboard motor into the county general fund account.

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

RESOLUTION NO. 390-10: AUTHORIZATION TO UTILIZE EMD TRAINING SERVICES

Mr. Plant presented the following:

WHEREAS, Wayne County 911, in 2009, purchased emergency medical dispatching (EMD) software, as well as an automatic interface to the computer aided dispatch software that has been in use locally at 911 for many years; and the implementation of said EMD software is intended to result in more consistent information gathering, instructions and

assistance for the public, and dispatching; and

WHEREAS, the dispatchers and supervisors at Wayne County 911 have been working for the past few months toward the implementation of the software based EMD system; and it has been found there would be significant benefit to having additional instruction for the dispatchers in EMD procedures from an instructor trained and certified by the National Academies of Emergency Dispatch, the organization that developed the EMD system; and

WHEREAS, Mr. Richard Rusho, an employee of the City of Rochester Office of Emergency Communications, has submitted a proposal to Wayne County 911, as an independent contractor, to provide refresher instruction in emergency medical dispatching for the dispatchers and supervisors of Wayne County 911; now, therefore, be it

RESOLVED, that the 911 Coordinator shall be authorized to engage the training services of Mr. Richard Rusho, of 237 Benton Street, Rochester, New York, to provide 16 hours of relevant refresher training in the Priority Dispatch EMD system, at a cost not to exceed \$500.00, as per Mr. Rusho's proposal letter dated May 4, 2010.

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

Mr. Groat reminded everyone that the school budgets were up for vote today and to be sure to go to the polls.

ADJOURNMENT:

The Chairman announced that the next meeting of the Board will be an evening session, scheduled for Tuesday, June 15, 2010 at 7:00 p.m.

Mr. Colacino moved, seconded by Ms. Park, that the Board adjourn at 11:51 a.m. Carried.

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

10th Day
Wednesday, June 2, 2010
1:00 p.m.

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

The Pledge of Allegiance was led by Supervisor Spickerman.

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

APPROVAL OF MINUTES:

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

Mr. Marquette re-introduced Todd LaBarr of Watchdog Building Partners and David Sloane, Superintendent of Buildings and Grounds to members of the Board to answer questions regarding the renovation project of the former Nursing Home facility.

AD-HOC – Building Relocation Committee

RESOLUTION NO. 391-10: AUTHORIZATION TO APPROVE CHANGE ORDER #GC14 FOR THE RENOVATIONS OF THE FORMER NURSING HOME

Mr. Spickerman presented the following:

WHEREAS, the bid package for the project included unit pricing for penetrations through existing wall construction that has asbestos containing building materials, and the unit price is based on one square foot per location with the utilization of local isolation containment, and

WHEREAS, the variance approved by the Department of Labor does not allow the use of local isolation units for these penetrations, only full containment with a decontamination chamber is allowed, and RFP GC-53 was issued to quantify the cost associated with removal of two existing masonry walls containing asbestos fireproofing with in the cores, and

WHEREAS, approximately 25% of each of the walls needs to be removed for mechanical penetrations and in order to comply with the Department of Labor's approved variance, full containment on both sides of the walls being penetrated and a decontamination area will be established, and based on the variance requirements it makes sense to remove the walls in their entirety, and

WHEREAS, Holdsworth Klimowski Construction has submitted a cost of \$22,998.00 to Watchdog Building Partners and the pricing submitted is consistent with the square foot unit pricing submitted at the onset of construction with the additional cost of the full containment added to it; now, therefore, be it

RESOLVED, that the contract with Holdsworth Klimowski shall be increased in the amount of \$22,998.00 by change order to cover the cost as described above; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign Change Order # GC14 in the Amount of \$22,998.00 for the removal of asbestos as described; and be it further

RESOLVED, that the County Treasurer is hereby directed to amend the 2010 County Budget as follows:

H1925-CO. BLDG. RENOVATION-ONH:

\$22,998.00 to .52813 General Trades

\$22,998.00 from .52818 Contingency

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

RESOLUTION NO. 392-10: AUTHORIZATION TO APPROVE CHANGE ORDER # GC15 FOR THE RENOVATIONS OF THE FORMER NURSING HOME

Mr. Spickerman presented the following:

WHEREAS, the bid package for the project included unit pricing for penetrations through existing wall construction that has asbestos containing building materials; and the unit price is based on one square foot per location with the utilization of local isolation containment; and

WHEREAS, the variance approved by the Department of Labor does not allow the use of local isolation units for these penetrations, only full containment with a decontamination chamber is allowed; and RFP GC-54 was issued to quantify the cost associated with M/E/P penetrations through walls containing asbestos fireproofing with in the cores in Area "C" (1st and 2nd floor), Area B (1st floor), and multiple areas in the basement, the exact location of the penetrations has been recorded on a record set drawing by Watchdog Building Partners; and Holdsworth Klimowski Construction has submitted a cost of \$58,071.57 to Watchdog Building Partners and the pricing submitted is consistent with the square foot unit pricing submitted at the onset of construction with the additional cost of the full containment added to it; now, therefore, be it

RESOLVED, that the contract with Holdsworth Klimowski shall be increased in the amount of \$58,071.57 by change order to cover the cost as described above; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign Change Order # GC15 in the Amount of \$58,071.57 for the removal of asbestos as described, and be it further

RESOLVED, that the County Treasurer is directed to amend the 2010 County Budget as follows:

H1925-CO. BLDG. RENOVATION-ONH:

\$58,071.57 to .52813 General Trades

\$58,071.57 from .52818 Contingency

Mr. LeRoy moved the adoption of the resolution. Seconded by Mr. Lauderdale.

Mrs. Collier addressed the Board to request brief explanation of the change orders that are being presented today.

Todd LaBarr of Watchdog Building Partners explained that this resolution, along with the one just approved, pertain to the isolation and removal of existing wall construction that has asbestos containing building material. Mr. LaBarr noted that these additional removal cost are due to variances that are set by the Department of Labor and additional requirements set by New York State.

Upon roll call regarding the resolution on the floor, the Chairman declared the resolution adopted.

OTHER BUSINESS

Mr. LeRoy moved, seconded by Mr. Kelsch that four (4) resolutions be allowed on the floor under other business. Motion carried.

RESOLUTION NO. 393-10: RESOLUTION -- SET DATE OF PUBLIC HEARING FOR PROPOSED LOCAL LAW TO APPROVE THE ALLOCATION OF ZONE LANDS FOR A MANUFACTURING PROJECT FOR A REGIONALLY SIGNIFICANT PROJECT

Mr. Spickerman presented the following:

RESOLVED, pursuant to Section 20 of the municipal Home Rule Law, the Board of Supervisors shall hold a public hearing on Tuesday, June 15, 2010 at 7:20 p.m. in the Supervisors Chambers in the County Court House, 26 Church Street, Lyons, New York, on the following proposed local law:

A local law to approve the allocation of zone lands for Good Simple Foods Inc, a Manufacturing project for a regionally significant project pending determination by the Zone Administrative Board and the New York State Department of Economic Development Law.

COUNTY OF WAYNE – STATE OF NEW YORK

WHEREAS, Good Simple Foods, Inc is locating their business activities at an expanded and upgraded facility located at 301-03 Route 89 in the Town of Savannah, NY; and

WHEREAS, this project will create 50 jobs during the first three years of activity; and

WHEREAS, the project is not within the Wayne County Empire Zone boundaries; and

WHEREAS, pending the New York State Department of Economic Development determination that the proposed project is eligible for Empire Zone benefits as a regionally significant project under Section 957(d)(i) of the General Municipal Law; and

WHEREAS, pending the Zone Administrative Board of the Wayne County Empire Zone determination that the proposed project is eligible for Empire Zones benefits as a

regionally significant project under Section 957(d)(i) of the General Municipal Law; now, therefore, be it

RESOLVED, that the Board of Supervisors of the County of Wayne approves the allocation of zone lands for the proposed Good Simple Foods, Inc. manufacturing project for a regionally significant project as determined by the Zone Administrative Board and the New York State Department of Economic Development Law, said zone lands to constitute the property described in Appendix A hereto; and be it further

RESOLVED, that the Wayne County Board of Supervisors hereby requests that the New York State Commissioner of Economic Development approve this addition to the Wayne County Empire Zone as described in Section 1.

This local law shall take effect upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to give at least five days notice of such hearing by posting such notice upon the bulletin board at the County Court House, Lyons, New York, and by publishing such notice at least once (1) in the official newspapers of the County of Wayne.

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

RESOLUTION NO. 394-10: AUTHORIZATION TO TRANSFER FUNDS FROM THE CONTINGENT ACCOUNT TO THE JUDGMENTS & CLAIMS ACCOUNT IN THE 2010 COUNTY BUDGET

Mrs. Bender presented the following:

WHEREAS the County had budgeted \$125,000.00 for 2010 for its Judgments and Claims account (A1930) from which legal fees and claims are paid; and the County has expended \$60,761.87 from this account through May 2010; and

WHEREAS, the County Attorney believes that an additional \$90,000 will be required for the remainder of 2010; now, therefore be it

RESOLVED, that the County Treasurer is hereby authorized to amend the 2010 County Budget as follows:

A1930-JUDGMENTS & CLAIMS:

\$90,000.00 to .54000 Contractual Expense

A1990-CONTINGENT FUND GEN:

\$90,000.00 from .54000 Contractual Expense

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

RESOLUTION NO. 395-10: ACCEPTANCE OF PHARMACEUTICAL AVERAGE WHOLESALE PRICE LITIGATION PROCEEDS

Mrs. Crane presented the following:

WHEREAS, Allegations of overcharging by various pharmaceutical companies resulted in a lawsuit joined by a number of New York State Counties of which Wayne is one, and settlements from the pharmaceutical companies are received and apportioned as a % of each counties' claims; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby accepts Wayne County's share of the Average Wholesale Price Litigation Settlement Proceeds as follows:

- \$38,090.31 from Teva/lvax/Barr
- \$1,923.34 from AstraZeneca
- \$57.70 from Eli Lilly
- \$769.33 from Forest
- \$256.96 from Hoffman LaRoche
- \$577.00 from Johnson & Johnson
- \$384.67 from King/Monarch

- \$292.69 from Medimmune
- \$2,885.00 from Pfizer/Pharmacia
- \$1,346.34 from Wyeth

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

RESOLUTION NO. 396-10: AUTHORIZATION TO APPROVE CHANGE ORDER NO. E-07 FOR THE FORMER NURSING HOME RENOVATION PROJECT

Mr. LeRoy presented the following:

WHEREAS, The original contract drawings for the provision of network and phone cables for services from the closest electrical closet to the areas to be occupied by the Veterans, and Board of Elections would have exceeded the TIA/EIA standard of 300 feet cable lengths; and RFP # 12 was issued to the electrical contractor on the project for pricing; and

WHEREAS, Watchdog Building Partners, SWBR, and M&E Engineering, have all reviewed the pricing of \$11,979.00 received from Connors-Haas for the provision of 2- 4" conduits and some additional cable tray to provide an accessible route for network and phone cables to the areas occupied by veterans and Board of Elections; now, therefore, be it

RESOLVED, that the contract with Connors-Haas shall be increased in the amount of \$11,979.00 by change order to cover the cost as described above; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign Change Order No. E-07, in the amount of \$11,979.00 for the provision of 2- 4" conduits and some additional cable tray to provide an accessible route for network and phone cables to the areas occupied by Veterans and Board of Elections; and be it further

RESOLVED, that the County Treasurer is directed to amend the 2010 County Budget as follows:

H1925-CO. BLDG. RENOVATION-ONH:

\$11,979.00 to .52815 Electrical

\$11,979.00 from .52818 Contingency

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

Todd LaBarr was asked to explain the purpose for this change order. Mr. LaBarr explained that additional cable trays and conduit was needed to provide compliant requirements for network and phone cable services for areas to be occupied by the Veterans and Board of Elections. It was determined that this was an oversight from the original building specifications.

Upon roll call for the resolution on the floor, the Chairman declared the resolution adopted.

ADJOURNMENT:

The next scheduled meeting of the Board is an evening session for Tuesday, June 15, 2010 at 7:00 p.m.

Mr. Plant moved, seconded by Mr. Miller, that the board adjourn at 1:10 p.m. Carried.

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

11th Day
Tuesday, June 15, 2010
7:00 p.m.

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

The Pledge of Allegiance was led by Supervisor Spickerman, 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 in attendance for the evening session.

APPROVAL OF MINUTES:

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

COMMUNICATIONS:

The Clerk read the following:

A copy of the Sheriff's Cash Receipts Report for the month of May 2010 in the amount of \$13,807.01.

A copy of the May 5, 2010 minutes for the VA Medical Center Community Council Meeting.

Wayne County Nursing Home – Bonadio & Company Independent Auditors' Report and Financial Statements for 2008 and 2009.

A copy of a certified resolution from the Saratoga County Board of Supervisors entitled "Supporting the Schoolbooks for Haiti Project and Encouraging Support by other Counties"

A certified resolution from the Monroe County Legislatures entitled, "Memorializing New York Legislature and Member Counties of the GVRMA to Oppose Governor Paterson's Proposal to Dissolve the Genesee Valley Regional Market Authority.

Copy of an application regarding the extension of Marion Water District No. 1, Extension No. 2, within the Town of Marion.

A certified resolution from the Ontario County Board of Supervisors regarding the Approval of the Administration Agreement with the Finger Lakes Workforce for One Stop Operators.

A copy of the County Auditor's accounts payable report for June 2010 totaling \$4,178,426.71.

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

BIDS:

Highway Department

- Aluminum Box Culvert Pipe for the Smith Road Culvert Project

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

PRIVILEGE OF THE FLOOR:

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

PROCLAMATIONS:

Wayne County Sheriff Barry Virts along with Public Safety Committee Chairman, Robert Plant, presented a Proclamation of Appreciation to William Carr for the outstanding work he has performed during his tenure with the Wayne County Sheriff's Office.

A Proclamation was read by Supervisor Manktelow and presented to the many talented artists involved in the nationally recognized "Mural Mania" project that initiated within the Village of Lyons. The Board congratulated their efforts in receiving the 2010 Honorable Mention Heritage Award for these historical murals of Lyons, depicting historical scenes of life on the Erie Canal.

The Clerk read the following Notice of Public Hearing that was scheduled for 7:15 p.m.

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

NOTICE IS HEREBY GIVEN that the Wayne County Board of Supervisors will hold a public hearing on Tuesday, June 15, 2010 at 7:15 p.m. in the Supervisors Chambers in the County Court House, 26 Church Street, Lyons, New York, on the following proposed local law:

A local law to approve the allocation of zone lands for Berry Plastics Corporation, a Manufacturing project for a regionally significant project as determined by the Zone Administrative Board and the New York State Department of Economic Development Law.

COUNTY OF WAYNE - STATE OF NEW YORK

WHEREAS, Berry Plastics Corporation is expanding their business activities at an expanded and upgraded facility located on Route 31 in the Town of Macedon, NY; and

WHEREAS, this expansion project will add 50 jobs that support their on-site manufacturing retain 610 jobs; and

WHEREAS, the project is not within the Wayne County Empire Zone boundaries; and

WHEREAS, pending the New York State Department of Economic Development has determined that the proposed project is eligible for Empire Zone benefits as a regionally significant project under Section 957(d)(i) of the General Municipal Law; and

WHEREAS, pending the Zone Administrative Board of the Wayne County Empire Zone has determined that the proposed project is eligible for Empire Zones benefits as a regionally significant project under Section 957(d)(i) of the General Municipal Law; now, therefore, be it

RESOLVED, that the Board of Supervisors of the County of Wayne approves the allocation of zone lands for the proposed expansion of Berry Plastic Corporation manufacturing project for a regionally significant project as determined by the Zone Administrative Board and the New York State Department of Economic Development Law, said zone lands to constitute the property described in Appendix A hereto; and be it further

RESOLVED, that the Wayne County Board of Supervisors hereby requests that the New York State Commissioner of Economic Development approve this addition to the Wayne County Empire Zone as described in Section 1.

This local law shall take effect upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to give at least five days notice of such hearing by posting such notice upon the bulletin board at the County Court House, Lyons, New York, and by publishing such notice at least once (1) in the official newspapers of the County of Wayne.

Dated: June 1, 2010
Lyons, New York

Sandra J. Sloane, Clerk
Wayne County Board of Supervisors

Prior to opening the floor for the public to comment, Chairman Hoffman read the procedures that are followed for conducting public hearings for the Board.

Chairman Hoffman opened the floor for public comment at 7:18 p.m. and requested persons interested in addressing the Board with their comments and concerns on the proposed Local Law to come forth.

No members of the public wished to come forth and comment at this time. The Chairman requested for a motion to close the hearing.

Mr. Plant moved, seconded by Mr. Kelsch, that the hearing be closed at 7:20 pm. Upon roll call, carried.

The Clerk read the second Notice of Public Hearing that was scheduled for 7:20 p.m.

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

NOTICE IS HEREBY GIVEN that the Wayne County Board of Supervisors will hold a public hearing on Tuesday, June 15, 2010 at 7:20 p.m. in the Supervisors Chambers in the County Court House, 26 Church Street, Lyons, New York, on the following proposed local law:

A local law to approve the allocation of zone lands for Good Simple Foods Inc, a Manufacturing project for a regionally significant project pending determination by the Zone Administrative Board and the New York State Department of Economic Development Law.

COUNTY OF WAYNE – STATE OF NEW YORK

WHEREAS, Good Simple Foods, Inc is locating their business activities at an expanded and upgraded facility located at 301-03 Route 89 in the Town of Savannah, NY; and

WHEREAS, this project will create 50 jobs during the first three years of activity; and
WHEREAS, the project is not within the Wayne County Empire Zone boundaries; and
WHEREAS, pending the New York State Department of Economic Development determination that the proposed project is eligible for Empire Zone benefits as a regionally significant project under Section 957(d)(i) of the General Municipal Law; and

WHEREAS, pending the Zone Administrative Board of the Wayne County Empire Zone determination that the proposed project is eligible for Empire Zones benefits as a regionally significant project under Section 957(d)(i) of the General Municipal Law; now, therefore, be it

RESOLVED, that the Board of Supervisors of the County of Wayne approves the allocation of zone lands for the proposed Good Simple Foods, Inc. manufacturing project for a regionally significant project as determined by the Zone Administrative Board and the New York State Department of Economic Development Law, said zone lands to constitute the property described in Appendix A hereto; and be it further

RESOLVED, that the Wayne County Board of Supervisors hereby requests that the New York State Commissioner of Economic Development approve this addition to the Wayne County Empire Zone as described in Section 1.

This local law shall take effect upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to give at least five days notice of such hearing by posting such notice upon the bulletin board at the County Court House, Lyons, New York, and by publishing such notice at least once (1) in

the official newspapers of the County of Wayne.

Dated: June 2, 2010
Lyons, New York

Sandra J. Sloane, Clerk
Wayne County Board of Supervisors

The Chairman opened the floor for public comment and requested persons interested in addressing the Board with their comments and concerns on the proposed Local Law to come forth to the podium.

No comments were made, hence, Chairman Hoffman requested for a motion to close the hearing.

Mr. Lauderdale moved, seconded by Mr. Hammond, that the Public Hearing be closed at 7:25 p.m. Upon roll call, carried.

Dr. Robert R. Ike, Superintendent of the Palmyra-Macedon Central School District, on behalf of the Wayne County Superintendents group, addressed the Board with a presentation to reflect on ideas that transpired from the Wayne County Shared Services Joint Leadership Council on Educational Initiatives. - "Wayne County Education Workgroup on Shared Service.

After Dr. Ike's presentation, the Chairman called for a brief recess at 7:38 p.m.

The Board resumed regular session at 7:59 p.m.

RESOLUTION NO. 397-10: AUTHORIZATION TO APPOINT MEMBER TO THE AGING SERVICES ADVISORY COUNCIL

Mrs. Crane presented the following:

WHEREAS, the New York State Office for the Aging requires each Area Agency on Aging to have an Aging Services Advisory Council; and one vacancy currently exists on the Wayne County Aging Services Advisory Council; and

WHEREAS, Pat Albrecht, Pastoral Associate at St. Michael's Catholic Church in Newark and a resident of the Village of Clyde, has indicated an interest in joining the Council; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors hereby appoints Pat Albrecht to the Wayne County Aging Services Advisory Council for a term commencing on July 1, 2010 and ending on June 30, 2013; and be it further

RESOLVED, that the appointment is hereby confirmed.

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

RESOLUTION NO. 398-10: AUTHORIZATION TO DECLARE ITEMS SURPLUS FOR THE DEPARTMENT OF AGING AND YOUTH

Mrs. Crane presented the following:

WHEREAS, the Wayne County Department of Aging and Youth provides personal emergency response units to 170 frail and disabled seniors; and 79 units have been replaced in the past few years due to changes in technology and the inability to repair or obtain replacement parts for non-working units; and

WHEREAS, these units are no longer of use to the Wayne County Department of Aging and Youth; now, therefore, be it

RESOLVED, that the following equipment is hereby declared surplus, and the Director of Information Technology and/or the Superintendent of Buildings and Grounds is hereby authorized to dispose of the following items in accordance with County policy:

79 personal emergency response units and related accessories

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

RESOLUTION NO. 399-10: AUTHORIZATION TO ENTER INTO A 2010 LICENSE AGREEMENT WITH YELLOW JACKET RACING TO HOST A TRIATHLON IN SODUS POINT PARK.

Mrs. Crane presented the following:

WHEREAS, Yellow Jacket Racing has requested the use of Sodus Point Park for the staging of a triathlon on Sunday, August 15, 2010; and Yellow Jacket Racing will set up the course and transition area in a designated section of the Sodus Point Beach Parking lot commencing August 14, 2010 at noon; and

WHEREAS, Yellow Jacket Racing will cover the cost of additional lifeguard coverage during the event and provide the liability insurance required by Wayne County; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a license Agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with Yellow Jacket Racing for the purposes of staging a Triathlon Event on August 15, 2010 based out of the Sodus Point Park; and be it further

RESOLVED, that Yellow Jacket Racing will pay the County \$300.00 for lifeguard services for the swim portion of the event.

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

RESOLUTION NO. 400-10: RESOLUTION SUPPORTING A TEMPORARY EXTENSION OF ENHANCED FEDERAL MEDICAID MATCHING FUNDS PROVIDED UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT

Mrs. Crane presented the following:

WHEREAS, Medicaid is a federal, state, and local health care program whose costs and administration represents the largest component of the state and local fiscal relationship in New York, currently totaling over \$51 billion annually; and since the program's inception, counties across the state have struggled to fund the growth of the Medicaid local share and even with local budget austerity measures the programs cost has resulted in higher property taxes, higher sales taxes, and a decline in county services; and

WHEREAS, while a local government Medicaid "cap" has been implemented in New York in an effort to provide some budget stability and help shield local taxpayers from the impact of excessive Medicaid growth, counties remain concerned with the future sustainability of the Medicaid program, the effect on other state and local budget priorities, and the overall outlook for New York's economic competitiveness; and

WHEREAS, Congress has provided an increase in Federal Medicaid matching funds, set to expire on December 31, 2010, to all states under the American Recovery and Reinvestment Act in recognition of the recent fiscal crisis; and in addition to providing fiscal relief to the State of New York, this increase also provides direct fiscal relief to local governments in New York State which helps ease the local property and sales tax burden for all New Yorkers; and

WHEREAS, the U.S. Senate, House and the President all support a six month extension of this critical temporary enhanced Medicaid assistance through June 30, 2011 because of the continued fiscal pressures experienced by state and local governments due to further declines in tax revenues and increased demand for public services stemming from the recession; and

WHEREAS, New York and twenty-three other states, have included a six month extension of this enhanced funding in their budgets for the coming year, it is imperative that Congress enact a six month extension of enhanced Medicaid assistance payments as soon as possible, to allow states to finalize their budgets without having to fill even larger budget holes with tax increases or service cuts that would be necessary in the absence of this federal funding; and now, therefore, be it

RESOLVED, that Wayne County supports a six month extension of the enhanced Federal Medical Assistance Percentage (FMAP) as established under the American Recovery and Reinvestment Act; and be it further

RESOLVED, that the Wayne County Board of Supervisors requests the Governor and the State Legislature to encourage the New York Congressional Delegation to support this six month extension; and be it further

RESOLVED, that the Clerk of the Wayne County Board of Supervisors will forward copies of this Resolution to Governor David A. Paterson, the New York State Legislature, the New York Congressional Delegation, NYSAC and all others deemed necessary and proper.

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

RESOLUTION NO. 401-10: AUTHORIZE MEMORANDUM OF UNDERSTANDING WITH WAYNE COUNTY DEPARTMENT OF PROBATION AND CORRECTIONAL ALTERNATIVES FOR COOPERATIVE DIVERSION PROCEDURES

Mrs. Crane presented the following:

WHEREAS, New York State requires the designation of a lead agency for the PINS process; and the Wayne County Probation Department has acted in this capacity for the past few years; and

WHEREAS, there needs to be in place specified procedures for the PINS population; now; therefore, be it

RESOLVED, that the Commissioner of the Wayne County Department of Social Services is hereby authorized to sign a Memorandum of Understanding for Cooperative Diversion Procedures between the Wayne County Department of Probation and Correctional Alternatives and the Wayne County Department of Social Services for the time period 7/1/10 – 6/30/11.

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

RESOLUTION NO. 402-10: AUTHORIZATION TO CREATE ONE EMPLOYMENT AND TRAINING COUNSELOR POSITION AND ONE SENIOR EMPLOYMENT AND TRAINING COUNSELOR POSITION

Mrs. Crane presented the following:

WHEREAS, additional services are needed in the employment area for Wayne County Department of Social Services Temporary Assistance to Needy Families and Safety Net Clients; and Wayne Workforce Development is willing and capable of providing the needed services and the expanded contract for these services and will require additional staff and the support of accurate reporting responsibilities to warrant this support staff; and

WHEREAS, Wayne County Workforce Development (WCWD) is requesting authorization to create one new Employment and Training Counselor and one Senior Employment and training Counselor position; now, therefore, be it

RESOLVED, that the Board of Supervisors does hereby authorize the creation of one new Employment and Training Counselor and one Senior Employment and Training Counselor position effective July 1, 2010.

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

RESOLUTION NO. 403-10: AUTHORIZATION TO SIGN AGREEMENTS WITH CHILD CARING INSTITUTIONS

Mrs. Crane presented the following:

WHEREAS, the Wayne County Department of Social Services (DSS) needs to place children in child caring institutions, at times, to promote their health and safety; and payment for these services is not determined by the county but is dictated by New York

State; and it has been the practice of DSS to have in place contracts with various child caring institutions to facilitate a child's placement on a timely basis; now, therefore, be it

RESOLVED, that the Commissioner of the Wayne County Department of Social Services is hereby authorized to execute agreements with authorized agencies for the time frame 7/1/10-6/30/11 for the purchase of foster care for children, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 404-10: AUTHORIZATION TO SIGN AGREEMENT WITH THE TERRACE AT NEWARK ASSISTED LIVING COMMUNITY

Mrs. Crane presented the following:

WHEREAS, a new assisted living facility, The Terrace at Newark Assisted Living Community, opened in July 2009; and the facility accepts Medicaid-eligible, low-income residents, which is a significantly under-served population for these services; and

WHEREAS, New York State Department of Health requires that a contract be in place between the assisted living facility and Wayne County DSS as a condition of reimbursement; and the terms of the agreement, including rates to be reimbursed by New York State Department of Health are dictated by the State and are not subject to local option(s); now, therefore, be it

RESOLVED, that the Commissioner of Social Services is hereby authorized to sign an agreement with The Terrace of Newark Assisted Living Community, subject to the review of the County Attorney, to allow reimbursement for services provided to Medicaid-eligible, low income residents of the facility for the period 7/1/10 – 6/30/11.

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

RESOLUTION NO. 405-10: RESOLUTION OPPOSING MEDICAID DISALLOWANCE BEING PASSED ON TO LOCAL COUNTIES

Mrs. Crane presented the following:

WHEREAS, New York State is proposing to pass on costs association with Medicaid disallowances to local Counties; and the State is moving to become progressively more involved with establishing eligibility; and

WHEREAS, it is the Counties belief that any costs of disallowances that are the result of eligibility processes not under the sole control of the local county, should be borne by New York State; now, therefore, be it

RESOLVED, that Wayne County hereby opposes passing on Medicaid disallowances which are not the sole responsibility of the County.

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

RESOLUTION NO. 406-10: RESOLUTION IN SUPPORT OF LEAVING THE TANF/FLEXIBLE FUND IN TACT

Mrs. Crane presented the following:

WHEREAS, the TANF/Flexible Fund was established to allow counties to decide how to deliver mandated and non-mandated services; and 97% of this fund is used for state mandated social services programs with only 3% "flexible" or subject to county discretion; and

WHEREAS, any cut of state funding would have to be picked up by the county and county property taxpayers therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby supports no cut to the TANF/Flexible Fund.

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

RESOLUTION NO. 407-10: WAYNE COUNTY WORKFORCE DEVELOPMENT REQUEST AUTHORIZING THE CHAIRMAN TO EXECUTE THE ADMINISTRATIVE AGREEMENT FOR THE FOUR COUNTIES FOR THE WORKFORCE INVESTMENT ACT LOCAL PLAN

Mrs. Crane presented the following:

WHEREAS, in compliance with the provisions of the Workforce Investment act of 1998, the Interim Final rule; Planning guidelines and instructions developed by the Governor regarding this Plan Modification is being submitted jointly by the Local Board and the respective Chief Elected officials; and

WHEREAS, Local Plan Modification that was generated through this process, will amend and extend both the approved Local Plan, which originally covered the period from July 1, 2009 – June 30, 2010 and will become the basis for local area policy and monitoring; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute any modification for the Workforce Investment Act Local Plan for the program year July 1, 2010 – June 30, 2011, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 408-10: AUTHORIZATION FOR THE CHAIRMAN OF THE BOARD TO SIGN WORKFORCE INVESTMENT ACT (WIA) CONTRACTS FOR THE PERIOD JULY 1, 2010 – JUNE 30, 2011

Mrs. Crane presented the following:

WHEREAS, New Contracts are required for the calendar year July 1, 2010–June 30, 2011 for WIA contracts; and the budget and contract were approved by the Finger Lakes Workforce Investment Board meeting held at their May 2010 Meeting with Executive signatures required in June 2010; now, therefore, be it

RESOLVED, to prevent delay and assist with timeliness of executed contracts, the Chairman of the Board of Supervisors is hereby authorized, upon review and approval of the County Attorney, to enter into the following contracts with the Finger Lakes Workforce Investment Board for the period July 1, 2010 to June 30, 2011:

WIA Administration	\$	3,500
WIA Adult	\$	54,113
WIA Dislocated Worker	\$	87,174
WIA Youth Program	\$	80,006

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

RESOLUTION NO. 409-10: AUTHORIZATION OF CONTRACT BETWEEN WORKFORCE DEVELOPMENT AND WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES FOR EMPLOYMENT SERVICES

Mrs. Crane presented the following:

WHEREAS, Wayne County Workforce Development (WCWD) already provides employment related contractual services to Wayne County Department of Social Services (WCDSS); and additional services are needed in the employment area for WCDSS Temporary Assistance to Needy Families (TANF) and Safety Net Clients; and

WHEREAS, WCWD is willing and capable of providing the needed services and WCDSS desires to contract for these services to include, but not limited to: Two Day Workshop; Intensive Employment Unit, Wage Subsidy, Orientation/Assessment; now, therefore, be it

RESOLVED, that WCWD enter into a contract, subject to the review of the Wayne County Attorney, with WCDSS for the provision of employment services during the

timeframe 7/1/10 – 6/30/11 for an amount not to exceed \$500,000.00 to include four general program areas: A Two Day Workshop; an Intensive Employment Unit; A Wage Subsidy Program; an Orientation/Assessment Service/Program.

Intensive Unit \$148,004; Workshop \$65,271; Wage Subsidy \$68,430; Welfare to work \$218,295

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

RESOLUTION NO. 410-10: AUTHORIZATION TO RESCIND RESOLUTION NO. 250-10 AND AUTHORIZE A CONTRACT FOR FURNISHING NURSING HOME CARE TO BENEFICIARIES OF THE VETERANS SERVICE ADMINISTRATION

Ms. Park presented the following:

WHEREAS, the Board of Supervisors approved a resolution #250-10 authorizing a renewal contract with Veterans Service Administration for the period June 1, 2010 through May 31, 2011; and the Veterans Service Administration contract will not be ready prior to expiration date of current contract; and

WHEREAS, the Veterans Service Administration has recommended a three month extension of the current contract at the same terms and conditions to facilitate the completion of their new contract; and the Wayne County Nursing Home is recommending renewing said contract for the period of June 1, 2010 – August 1, 2010 at no cost to the nursing home; and

WHEREAS, the Wayne County Nursing Home is recommending a new contract to commence on August 1, 2010- July 31, 2011 be authorized; now, therefore, be it

RESOLVED, that Resolution No. 250-10 is hereby rescinded; and

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized and directed to execute an extension to the current contract extending the expiration date from May 31, 2010 to July 31, 2010 at the same terms and conditions; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized and directed to execute a Contract/Award for Furnishing Nursing Home Services to Beneficiaries of the Veterans Administration at a per diem fee to be negotiated by the Administrator for the period August 1, 2010 to July 31, 2011, subject to the County Attorney's approval to form and content.

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

RESOLUTION NO. 411-10: AUTHORIZING AGREEMENT WITH ESSENCE HEALTHCARE, INC. FOR THE WAYNE COUNTY NURSING HOME TO BECOME A PARTICIPATING PROVIDER OF SKILLED NURSING SERVICES AND OUTPATIENT THERAPY SERVICES

Ms. Park presented the following:

WHEREAS Essence Healthcare, Inc has obtained contracts with the Centers for Medicare and Medicaid Services, pursuant to which Plan or its affiliate would provide, or arrange to provide, certain individuals with the benefits described in their selected plans issued or offered in connection with such contract(s) (individually and collectively, the "CMS Contract"); and

WHEREAS Wayne County Nursing Home desires to contract with Essence Healthcare, Inc. to provide, or arrange for associated providers to provide health care services, supplies and accommodations to individuals, all as hereafter provided in the Agreement; and

WHEREAS the residents at Wayne County Nursing Home would have coverage or a benefit plan that includes health care coverage for individuals that is sponsored, issued or administered by a Payer in connection with a CMS Contract; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract with Essence Healthcare, Inc. effective July 1, 2010, subject

to the County Attorney's approval as to form and content, at no cost to the County at the prevailing Medicare rates.

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

RESOLUTION NO. 412-10: AMEND WAGES FOR GRADUATE PRACTICAL NURSE FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the Board of Supervisors authorized the hiring of four (4) Graduate Practical Nurses by the Wayne County Nursing Home in Resolution #933-02 and #539-09 in an effort to address the shortage of licensed nurses, and the Board of Supervisors amended the salary for the Graduate Practical Nurses by Resolution No. 503-08; and

WHEREAS, the wage has not been adjusted since 2008; now, therefore, be it

RESOLVED, that effective July 1, 2010, the salary for the temporary positions of Graduate Practical Nurse at the Wayne County Nursing Home is to be increased to \$16.326 per hour from the current \$15.85 rate.

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

RESOLUTION NO. 413-10: AUTHORIZATION TO RENT BILLBOARD SPACE FROM LAMAR ADVERTISING FOR THE LEAD POISON PREVENTION PROGRAM

Ms. Park presented the following:

WHEREAS, there is money budgeted for the rental of space for the advertising for the Lead Poison Prevention program; and the estimated costs include rental of 4 billboard spaces for a minimum of 30 days at \$650 each and poster production charges of \$125 each; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to purchase billboard space and posters from Lamar Advertising for the lead poison prevention program to include the rental of 4 billboard spaces for a minimum of 30 days at \$650 each and poster production charges of \$125 each.

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

RESOLUTION NO. 414-10: AUTHORIZATION TO RENT BILLBOARD SPACE FROM LAMAR ADVERTISING FOR THE IMMUNIZATION PROGRAM

Ms. Park presented the following:

WHEREAS, there is money budgeted for the rental of space for the advertising for the immunization program; and this advertising is funded 100% by ARRA Immunization Stimulus monies; and

WHEREAS, the estimated costs include rental of 4 billboard spaces for a minimum of 60 days at \$1097.50 each and poster production charges of \$152.50 each; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to purchase billboard space and posters from Lamar Advertising for the immunization program to include the rental of 4 billboard spaces for a minimum of 60 days for a total of \$4390 and total poster production charges of \$610 from October 1, 2010 till November 30, 2010.

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

RESOLUTION NO. 415-10: AUTHORIZATION TO APPOINT A MEMBER TO THE S²AY RURAL HEALTH NETWORK BOARD OF DIRECTORS

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) belongs to the S²AY Rural Health Network; and the governing body of the S²AY Rural Health Network requires that each

county be represented by a Public Health Director, a Physician, a consumer, and county legislative body member; and WCPH has representation of all groups except a legislative body member; and

WHEREAS, Laurie Crane, Town of Huron Supervisor, has agreed to represent the Wayne County Board of Supervisors on the Board of Directors for the S²AY Rural Health Network; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to appoint Laurie Crane, Town of Huron Supervisor, as the Wayne County Board of Supervisors representative for the S²AY Rural Health Network Board of Directors starting July 1, 2010.

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

RESOLUTION NO. 416-10: AUTHORIZATION TO OBTAIN SEVEN WORK CELL PHONES FOR CERTIFIED HOME HEALTH AGENCY REGISTERED NURSES

Ms. Park presented the following:

WHEREAS, Wayne County Public Health's (WCPH) certified home health agency (CHHA) has registered nurses who exclusively work in the field and have need to be accessible to WCPH supervisors, patient's primary care physicians, and to the patients; and

WHEREAS, currently the CHHA's registered nurses are using their own private cell phones to perform work duties; and the Director of Public Health would like to obtain seven Verizon cell phones through Building & Grounds

- Two cell phones at a rate of \$23.49/mo/ea
- Five cell phones at a rate of \$14.99/mo/ea

WHEREAS, these cell phones will be used for work purposes only; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to obtain Verizon cell phones through Building & Grounds for seven registered nurses at a rate of \$23.49 per phone per month for two phones ($\$23.49 \times 2 = \$46.98/\text{mo.} \times 12 = \$563.76/\text{yr}$) and a rate of \$14.99 per phone per month for five phones ($\$14.99 \times 5 = \$74.95/\text{mo} \times 12 = \$899.40/\text{yr}$), for a total of \$1463.16 per year. (The phones are free.)

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

RESOLUTION NO. 417-10: AUTHORIZATION TO SUBSCRIBE WITH FAZZI ASSOCIATES TO PROVIDE HOME HEALTH CONSUMER ASSESSMENT OF HEALTHCARE PROVIDERS AND SYSTEMS SERVICES FOR THE CERTIFIED HOME HEALTH AGENCY

Ms. Park presented the following:

WHEREAS, Wayne Community Nursing Care (WCNC) is required to subscribe with a CMS approved vendor to perform home health consumer assessment of healthcare providers and systems (HH CAHPS) services, patient satisfaction surveys, beginning October 1, 2010; and

WHEREAS, it is encouraged that a "dry run" of the services be performed prior to the start-up date of October 1, 2010; and this survey will be conducted monthly by mail to all Medicare and Medicaid clients of WCNC by Fazzi Associates; and

WHEREAS, WCNC will receive a 2% reduction in Medicare and Medicaid reimbursement if the HH CAHPS survey is not performed by a CMS approved vendor; and

WHEREAS, WCNC wishes to subscribe with Fazzi Associates to perform the patient satisfaction surveys starting in August 2010 at an Annual Basic Subscription Cost of \$875.00 per year, and a cost of \$3.00 per mailing of the surveys, at an annual cost not to exceed \$3,000.00; now, therefore, be it

RESOLVED that the Director of Wayne County Public Health is hereby authorized to subscribe with Fazzi Associates to perform HH CAHPS services for Wayne Community Nursing Care at an Annual Basic Subscription cost of \$875.00 per year, and a cost of \$3.00 per mailing of the surveys to all Medicare and Medicaid patients, at an annual cost not to exceed \$3,000.00; and further

RESOLVED, that the County Treasurer is hereby directed to amend the 2010 County Budget as follows:

A4019-WAYNE COMMUNITY NURSING CARE:

\$3,000.00 from .54452 Physical Therapy

\$3,000.00 to .54500 Fees for Services Non-Employees

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

RESOLUTION NO. 418-10: AUTHORIZATION TO AMEND RESOLUTION NO. 118-10 TO EXECUTE CONTRACT WITH A NEW SERVICE PROVIDER FOR THE CANCER SERVICES PROGRAM OF WAYNE COUNTY

Ms. Park presented the following:

WHEREAS, the county must contract for the provision of services (clinical breast exam, Pap smear, colorectal screening and follow up procedures) for eligible men and women to the program; and the providers are willing to provide such services at the most recent Medicare Regions rates approved by the NYS Department of health; and

WHEREAS, the new provider is now wishing to contract with the Cancer Services Program of Wayne County: now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized directed to execute a contract, subject to the County Attorney's approval as to form and content, with the following provider on behalf of Wayne County Public Health Service, subject to the provider being in compliance with the County's insurance, for contract period 4/1/2010 to 3/31/2011, provider is willing to provide such service at the most recent Medicare Regions rates approved by the NYS Department of Health.

Finger Lakes Migrant Health Care Project, Inc.

603 Washington Street

Geneva, NY 14456

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

RESOLUTION NO. 419-10: AUTHORIZATION TO PURCHASE ADVERTISING SPACE FROM NORMAL ADVERTISING COMMUNICATIONS FOR THE CERTIFIED HOME HEALTH AGENCY

Ms. Park presented the following:

WHEREAS, the certified home health agency (CHHA) of Wayne County Public Health has need to advertise its home care services; and the CHHA wishes to purchase advertising space from Normal Advertising Communications to be displayed on the WATS buses; and

WHEREAS, the CHHA would like to purchase 7 king-sized advertising displays @ \$100.00 each for 4 months with a production cost of \$40.00 for each display:

7 x \$100 = \$700 x 4 months = \$2800

Production: 7 displays @ \$40 ea = \$280

Total cost= \$3080.00

now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to purchase 7 king-sized advertising displays for the CHHA at a cost of \$100 each; with production costs of \$40.00 each; to be displayed for 4 months; at a cost not to exceed \$3,080.00 from Normal Advertising Communications.

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

call, adopted.

RESOLUTION NO. 420-10: AUTHORIZATION TO SUBMIT A BUDGET AND WORKPLAN FOR EARLY INTERVENTION ADMINISTRATION AND EXECUTE CONTRACT

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) wishes to renew its contract with New York State Department of Health Early Intervention Administration contract for the period of October 1, 2010 to September 30, 2011 in the amount of \$66,666.00; and WCPH must submit a budget and workplan describing the work and projects as described in the plan; and

WHEREAS the workplan includes such activities as Child Find, Public Awareness, Family Centered Services, Service Delivery in Natural Environments, Transition from EI to Pre-K, Administration and Oversight of the program; now, therefore, be it

RESOLVED that the Director of Public Health is hereby authorized to submit a budget and workplan to the NYSDOH Early Intervention program; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to contract with the NYSDOH Early Intervention program from October 1, 2010 to September 30, 2011 for the amount of \$66,666.00, subject to the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 421-10: AUTHORIZATION TO SUBMIT A BUDGET AND WORKPLAN FOR THE CHILDREN WITH SPECIAL HEALTH CARE NEEDS PROGRAM AND CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH

Ms. Park presented the following:

WHEREAS, Wayne County Public Health wishes to renew the Children with Special Health Care Needs (CWSHCN) program contract number C-024652 for the period of October 1, 2010 to September 30, 2011 in the amount of \$20,746.00; and the CWSHCN program is an educational, informational and referral program for children with special health care needs from the age of 0 to 21; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to submit a workplan and budget to the New York State Department of Health (NYSDOH) for the CWSHCN program; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract with the Children with Special Health Care Needs for the amount of \$20,746.00 for the period of October 1, 2010 to September 30, 2011, with the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 422-10: AUTHORIZATION TO SUPPORT PROPOSED LEGISLATION IN NEW YORK STATE

Mrs. Collier presented the following:

RESOLVED, that the Wayne County Board of Supervisors hereby urges the New York State Senate and the Governor to support the following bill which would be beneficial to gun owners, gun clubs and conservation clubs in the State of New York:

A-5427, A-6388 (S1152): Abolishes the wasteful CoBIS ballistic fingerprinting law which wastes millions of taxpayer dollars every year. This ballistic fingerprinting program has not once been used to solve a single crime. Every time a person buys a firearm lawfully, the firearm is fired and its ballistic fingerprint is recorded and stored. The maintenance of this information is very expensive and has proven to be a huge waste of money.

Ms. Park moved the adoption of the resolution. Seconded by Mr. Miller.

Mr. Miller addressed the Board to thank members for supporting these resolutions that will ultimately send a message to New York State officials on behalf of the residents of Wayne County.

Upon roll call, adopted.

RESOLUTION NO. 423-10: AUTHORIZATION OPPOSING VARIOUS PROPOSED ANTI-GUN OWNER LEGISLATION IN NEW YORK STATE

Mrs. Collier presented the following:

WHEREAS, the "right to bear arms" is guaranteed by the 2nd amendment to the U.S. Constitution; and certain bills passed in the New York State Assembly will have a detrimental effect on hunters, sportsmen and legal gun owners as well as the health of wildlife, revenue to local municipalities and the Department of Environmental Conservation:

and

WHEREAS, passage of said legislation would curtail the rights of law-abiding citizens as guaranteed by the Constitution; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby urges the New York State Senate and the Governor to oppose the following anti-gun bills which infringe on the rights of law-abiding and taxpaying gun owners of the State of New York:

- A-801A (S1698A): Requires the renewal of firearms' licenses after five years and the taking of a safety course outside the city of New York; sets a date for expiration and provides for a schedule for recertification to be developed by the commissioner.
- A-1093 (1715): Requires the creation and imposition of restrictive commercial practices and stringent recordkeeping and reporting to prevent gun sales to criminals; provides that such measures shall be promulgated by the superintendent of state police; restricts premises of sales; requires employee training; prohibits straw purchases; imposes additional license conditions.
- A-1275 (S1712): Provides clarification on the definition of gun show events to include the building, structures and grounds where shows occur; and to include public auctions, flea markets and garage sales; and modifies the definition of "gun show" to conform with *Scope v Pataki*.
- A-1326 (S5228): Proscribes persons, firms or corporations engaged in the retail business of selling firearms from selling, delivering or transferring child operated firearms; defines "child operated firearm" to mean a pistol or revolver manufactured 1 year after the effective date of these provisions which does not contain a childproofing device or mechanism incorporated into the design of such pistol or revolver to effectively preclude an average 5 year old from firing same; makes violations a Class A misdemeanor.
- A-2881 (S2379): Includes possession of armor piercing, frangible or devastator ammunition as criminal possession of a weapon in the 4th degree and where possession is knowingly with intent to use against another; it shall constitute criminal possession of a weapon in the 3rd degree.
- A-2884: Prohibits the sale of guns at a gun show located on public property by creating the crime of illegal sale of a gun at a gun show located on public property; defines public property as any property owned by the state or any political subdivision thereof; makes such crime a class A misdemeanor.
- A-2885: Directs the superintendent of state police to issue rules to prevent the transfer of unsafe firearms to the state; establishes minimum safety and quality standards governing the manufacture of firearms as well as standards for the storage and shipment of firearms into New York; provides for civil penalty of not more than \$50,000 for each violation.

- A-2910: Directs the superintendent of state police to study pistols and revolvers manufactured in the United States to determine whether such weapons satisfy public safety standards; provides for the compilation of a list of such pistols and revolvers that do not meet such standards; provides for publication and updating thereof.
- A-3200 (S2953): Establishes a statewide database to maintain and track coded ammunition and establishing penalties for individuals who violate such provisions; and establishes the ammunition coding system fund.
- A-3346: Makes provisions in relation to banning dangerous, poorly made, easily concealable, generally unsafe firearms known as "Saturday night specials" or "junk guns;" defines such term; increases penalties for certain offenses relating to possession, use and sale of such weapons; directs the superintendent of state police to study such weapons and publicize the provisions of this act.
- A-3477 (S1188): This bill would expand the useless CoBIS ballistic tracking law which has cost NY Tax Payers more than \$4M per year, since being implemented in 1999. Since the law was imposed, it has never been used to solve a single crime in NY State. The CoBIS law should be repealed, not expanded further with this bill. This bill would further expand the list of lawfully owned sporting arms to the required ballistic testing.
- A-4441 (S4338): Enacts personalized gun safety provisions creating a temporary state commission to adopt standards for firearms sold or manufactured in this state (and test prototypes) including, but not limited to, personalizing all firearms manufactured, assembled, altered, offered for sale, sold, traded, transferred, shipped, leased, distributed, acquired or possessed within the state so that only authorized users can operate them; requires manufacturers and others to comply with the standard four years from the date on which the commission's original standard is adopted; exempts antique firearms and those manufactured prior to the compliance date, except that dealers are prohibited from selling or otherwise transferring those guns; imposes penalties against those who manufacture, transport or ship firearms that do not meet the safety standard and against those who deface or alter the personalized characteristic; authorizes persons who are injured, or the representative of those killed, by the discharge of firearms not meeting the standard to bring an action against the person who fires the weapon and the owner thereof.
- A-4752: Bans sale, use or possession of 50-caliber or larger weapons. This ban would outlaw many commonly used shotguns and muzzleloaders which are greater than 50-caliber by definition. Shotguns and muzzleloaders that have been safely used for hunting, trap skeet shooting and target shooting would fall under this legislation. Bans the sale, use or possession of 50-caliber or larger weapons and directs the division of state police to embark on a program whereby persons currently in lawful possession of such weapons may be reimbursed for the fair market value thereof upon turning such weapons in to a designated officer.
- A-5078: Amends definition of "disguised gun" to include weapon or device capable of being concealed on a person from whom a shot can be discharged through energy of an explosive, which is designated and intended to appear to be a toy gun.
- A-5884 (S3098): Enacts the "children's weapon accident prevention act"; creates crimes of failure to store a weapon safely in the first and second degrees, aggravated failure to store a weapon, and criminally negligent storage of a weapon in the first and second degrees; provides affirmative defenses; directs the commissioner of education to develop a weapons safety program.
- A-6157 (S4084): Amends the definition of so-called "assault weapon" to include additional weapons; defines the terms "detachable magazine", "muzzle break"

and "muzzle compensator"; authorizes the division of state police to promulgate rules and regulations for the addition of information identifying so-called "assault weapons" lawfully possessed prior to January 1, 2011 to the pistol and revolver ballistic identification databank.

- A-6294 (S4084): Adds additional weapon models to the definition of a so-called "assault weapon" and adds related definitions; bans the possession, sale or manufacture of so-called "assault weapons", subject to an exception; expands the duties of the superintendent of state police with respect to identifying so-called "assault weapons".
- A-6468B (S6005): Requires semiautomatic pistols manufactured or delivered to any licensed dealer in this state to be capable of micro-stamping ammunition; establishes fines for violations of this requirement. Micro-stamping technology does not exist that could track ammunition as proposed by this bill. There are many ways this flawed bill would fail, as there is an assumption that criminals would purchase ammunition that contains micro-stamp. This bill would make the cost of ammunition prohibitive, thus price out target shooting legally owned handguns, by law-abiding handgun owners.
- S1598A and S0066: Pistol Permit Renewal bill: This bill would simply serve as another fee gathering mechanism directed at lawful ownership in New York.

now, therefore, be it

RESOLVED, that the Clerk of the Wayne County Board of Supervisors be and hereby is directed to send certified copies of this resolution to Governor David Paterson, Assembly Speaker Sheldon Silver, Senator Mike Nozzolio, Assemblyman Bob Oaks, NYSAC and all counties Clerks of the Board.

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

RESOLUTION NO. 424-10: AUTHORIZATION OPPOSING PROPOSED ANTI-GUN OWNER LEGISLATION IN WAYNE COUNTY

Mrs. Collier presented the following:

WHEREAS, the Right of the People to Keep and Bear Arms is guaranteed as an individual Right and affirmed as such under the Second Amendment to the United States Constitution and under New York States Civil Liberty Law; and the Right of the People to Keep and Bear Arms for defense of Life, Liberty, and Property is regarded as an Inalienable Right by the People of Wayne County, New York; and

WHEREAS, the People of Wayne County, New York, derive economic benefit from all safe forms of firearms recreation, hunting, and shooting conducted within Wayne County using all types of firearms allowable under the United States Constitution and New York States Civil Liberty Law; and the Wayne County Board of Supervisors, being elected to represent the People of Wayne County and being duly sworn by their Oath of Office to uphold the United States Constitution and New York States Civil Liberty Law; and

WHEREAS, the New York Assembly and the New York Senate, being elected by the People of the State of New York and being duly sworn by their Oath of Office to uphold the United States Constitution and New York States Civil Liberty Law; and proposed legislation under consideration by the New York State Legislature would infringe the Right to Keep and Bear Arms and would ban the possession and use of firearms now employed by individual citizens of Wayne County, New York, for defense of Life, Liberty and Property and would ban the possession and use of firearms now employed for safe forms of firearms recreation, hunting and shooting conducted within Wayne County, New York; now, therefore, be it

RESOLVED, that the People of Wayne County, New York, do hereby oppose the enactment of any legislation that would infringe upon the Right of the People to keep and bear arms and consider such laws to be unconstitutional and beyond lawful Legislative Authority.

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

RESOLUTION NO. 425-10: AUTHORIZATION TO AMEND 2010 COUNTY BUDGET FOR THE PAYMENT OF SECRETARIAL ALLOWANCE FOR THE DISTRICT ATTORNEY AND PUBLIC DEFENDERS DEPARTMENTS (TABLED)

Mrs. Collier presented the following:

WHEREAS, a recent Internal Revenue Service audit of Wayne County disclosed a few deficiencies in current procedures and policies; and one area noted was the process for paying secretarial allowance to staff of the District Attorney's and Public Defenders departments; and

WHEREAS, the audit recommend that such payments shall be reported as taxable; now, therefore, be it

RESOLVED, that the County Treasurer hereby create the following line items and amend the 2010 County Budget for the proper recording of secretarial allowance paid to employees of Wayne County:

A1165-DISTRICT ATTORNEY:

\$13,500.00 to .51903 Non-Positions
\$ 1,033.00 to .58200 Payments to Social Security
\$13,500.00 from .54471 Secretarial Allowance

A1170-PUBLIC DEFENDER:

\$13,500.00 to .51903 Non-Positions
\$ 1,033.00 to .58200 Payments to Social Security
\$13,500.00 from .54471 Secretarial Allowance

A1990-CONTINGENT FUND GEN:

\$ 2,066.00 from .54000 Contractual Expense

Mr. Lauderdale moved, seconded by Mr. Kelsch, that the resolution be tabled. Upon roll call, carried.

RESOLUTION NO. 426-10: AUTHORIZATION TO DECLARE EQUIPMENT AS SURPLUS FOR WAYNE COUNTY ATTORNEY'S OFFICE

Mrs. Collier presented the following:

WHEREAS, Wayne County Attorney's Office has had a 1996 printer which is no longer repairable; and the County Attorney wishes to declare the HP Laserjet 5 C3916A printer, SN#USLCO12703, as surplus equipment; now, therefore, be it;

RESOLVED, that the County Attorney is hereby authorized to declare the HP Laserjet 5 C3916A printer, SN#USLCO12703, as equipment surplus; and be it further

RESOLVED, the Director of Buildings & Grounds is hereby authorized to dispose of this equipment as per policy and procedure.

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

RESOLUTION NO. 427-10: AUTHORIZE THE BOARD OF ELECTIONS TO RENT TRUCKS TO DELIVER VOTING MACHINES

Mrs. Collier presented the following:

WHEREAS the County has the responsibility for the voting machines and are storing them at a central location in the County, and it is necessary to deliver them and related equipment to the polling places and then return them to the storage site, for both the Primary and General Election; and air-ride trucks with hydraulic lift gates are required for transporting the voting machines, and because the County does not possess such trucks; now, therefore, be it

RESOLVED, that the Board of Elections be authorized to rent trucks with the required features.

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

roll call, adopted.

RESOLUTION NO. 428-10: AUTHORIZATION TO ADOPT THE WAYNE COUNTY IDENTITY THEFT PREVENTION POLICY

Mrs. Collier presented the following:

WHEREAS, the Fair and Accurate Credit Transactions Act of 2003, an amendment to the Fair Credit Reporting Act, required rules regarding identity theft protection to be promulgated; and those rules require certain businesses to implement an identity theft program and policy; and

WHEREAS, the Wayne County Board of Supervisors has determined that the following policy is in the best interest of the County and its citizens; now, therefore, be it

RESOLVED that the attached policy document dated June 15, 2010 is hereby adopted by the Wayne County Board of Supervisors and copy of said policy is hereby on file with the Clerk of the Board.

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

RESOLUTION NO. 429-10: AUTHORIZATION TO PREPARE AND SUBMIT A SNOWMOBILE TRAILS GRANT-IN-AID "PHASE 1- PRIOR APPROVAL APPLICATION" ON BEHALF OF WAYNE COUNTY SNOWMOBILE CLUBS

Mr. Spickerman presented the following:

WHEREAS, Resolution 560-98 established Wayne County as the Local Sponsor for the Snowmobile Trails Grant-In-Aid Program offered through the NYS Office of Parks, Recreation and Historic Preservation (OPRHP); and the County Planning Department has prepared applications to said grant program on behalf of snowmobile clubs in the County since 1998; and

WHEREAS, the County continues to recognize and support the recreational and economic benefits of snowmobiling throughout the County; now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes the Planning Department to prepare and submit a Phase 1- TRAIL SYSTEM PRIOR APPROVAL application and MAP to OPRHP's Snowmobile Trails Grant-In-Aid Program for the 2010/2011 funding cycle pending approval by the County Attorney as to form and content.

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

Mr. Plant and Mr. Kelsch commented on how the Towns of Walworth and Ontario will both truly benefit from this Grant-In-Aid Program and will support this resolution.

Upon roll call, adopted.

RESOLUTION NO. 430-10: AUTHORIZE AGREEMENT WITH WESTERN FINGER LAKES AUTHORITY FOR ADMINISTRATION OF NYSERDA GRANT FOR HYBRID ELECTRIC RECYCLING COLLECTION VEHICLES

Mr. Spickerman presented the following:

WHEREAS, on behalf of Wayne County (the "County"), the Western Finger Lakes Authority (the "Authority") prepared and submitted a grant to the New York State Energy Research and Development Authority requesting \$300,000 to subsidize the costs associated with the purchase of five diesel hybrid electric recycling collection vehicles; and

WHEREAS, the County was notified on March 24, 2010 that NYSERDA was interested in furthering pursuing this proposal; and because funds will be awarded to the County, an agreement between the County and the Authority is necessary so the Authority may administer the program on behalf of the County; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute an agreement for the administration of the above referenced NYSERDA grant with the Authority, subject to approval as to form and content by the County Attorney, for an amount not to exceed \$300,000.00 for the purchase of five diesel hybrid electric collection vehicles.

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

RESOLUTION NO. 431-10: AUTHORIZE APPLICATION TO THE NYS ENVIRONMENTAL PROTECTION FUND FOR THE FORMAN PARK EROSION CONTROL PROJECT

Mr. Spickerman presented the following:

WHEREAS, Forman Park is the most popular park within the Wayne County Parks system, visited by thousands of residents and tourists every year and used for family reunions, community events, graduation parties, weddings, picnics and general recreational activities; and severe erosion along the Lake Ontario shoreline within Forman Park has claimed a large amount of land and reduced the area of the park significantly over the past 30 years; and

WHEREAS, this situation is critical and must be addressed before more land within this historic park is lost; now, therefore be it

RESOLVED, that James Hoffman as Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$600,000 and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to Wayne County for the Forman Park Erosion Control Project and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property, subject to approval as to form and content by the County Attorney.

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

RESOLUTION NO. 432-10: MAKING A DETERMINATION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

Mr. Spickerman presented the following:

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQRA Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State, being 6 NYCRR Part 617, as amended (the "Regulations"), the Wayne County Board of Supervisors (the "Board") desires to determine whether the following action may have a "significant effect on the environment" (as said quoted term is defined in the SEQRA Act and the Regulations) and therefore require the preparation of an environmental impact statement: An action to make application to the New York State Commissioner of Economic Development for the designation of Empire Zone acreage for the Wayne County Empire Zone under a regionally significant project encompassing a total of approximately 32.48 acres in the Village and Town of Macedon (the "Project"); and

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

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

RESOLVED, AS FOLLOWS:

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

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

RESOLUTION NO. 433-10: ADOPTING LOCAL LAW TO APPROVE THE ALLOCATION OF ZONE LANDS FOR BERRY PLASTICS FOR A REGIONALLY SIGNIFICANT PROJECT AS DETERMINED BY THE ZONE ADMINISTRATIVE BOARD AND THE NEW YORK STATE DEPARTMENT OF ECONOMIC DEVELOPMENT LAW

Mr. Spickerman presented the following:

WHEREAS, a local law to approve the allocation of zone lands for Berry Plastics Corporation for a regionally significant project as determined by the Zone Administrative Board and the New York State Department of Economic Development Law, was presented to the Board of Supervisors on Tuesday, May 18, 2010; and

WHEREAS, a public hearing on the proposed local law was held by the Board of Supervisors on Tuesday, June 15, 2010 at 7:15 pm, in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore, be it

RESOLVED, that said local law is hereby adopted to read as follows:

COUNTY OF WAYNE - STATE OF NEW YORK

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

A local law to approve the allocation of zone lands for Berry Plastics Corporation for a regionally significant project as determined by the Zone Administrative Board and the New York State Department of Economic Development Law.

WHEREAS, Berry Plastics Corporation is expanding their business activities at 112, 150 and 200 East Main Street, Route 31, in the Village and Town of Macedon NY; and

WHEREAS, this expansion project will add 50 jobs that support their on-site manufacturing and existing 610 jobs; and

WHEREAS, the project is not within the Wayne County Empire Zone boundaries; and

WHEREAS, the New York State Department of Economic Development has determined that the proposed project is eligible for Empire Zone benefits as a regionally significant project under Section 957(d)(i) of the General Municipal Law; and

WHEREAS, the Zone Administrative Board of the Wayne County Empire Zone has

determined that the proposed project is eligible for Empire Zones benefits as a regionally significant project under Section 957(d)(i) of the General Municipal Law; now, therefore, be it

RESOLVED, that the Board of Supervisors of the County of Wayne approves the allocation of zone lands for the proposed expansion of Berry Plastics Corporation for a regionally significant project as determined by the Zone Administrative Board and the New York State Department of Economic Development Law, said zone lands to constitute the property described in Appendix A hereto; and be it further

RESOLVED, that the Wayne County Board of Supervisors hereby requests that the New York State Commissioner of Economic Development approve this addition to the Wayne County Empire Zone as described in Section 1.

This local law shall take effect upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

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

RESOLUTION NO. 434-10: AFFIRMATION OF PUBLIC AND COMMUNITY SUPPORT FOR B. FORMAN PARK EROSION CONTROL PROJECT

Mr. Spickerman presented the following:

WHEREAS, B. Forman Park (the "Park") is Wayne County's most heavily used public park; and the Park contains significant historic buildings and a beautiful Lake Ontario shoreline; and

WHEREAS, the current rate of erosion along the Lake Ontario shoreline has washed away a significant amount of the parkland; and if this erosion problem is not addressed, Wayne County's most popular park will continue to rapidly diminish in size, ultimately threatening historic structures and significantly reducing open space available for public recreation; now, therefore, be it

RESOLVED, that the Board of Supervisors recognizes the historic and recreational significance of B. Forman Park and its importance to the residents of Wayne County and the public and community support for the installation of suitable erosion control measures to mitigate the loss of this valuable and irreplaceable public park property.

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

RESOLUTION NO. 435-10: MAKING A DETERMINATION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

Mr. Spickerman presented the following:

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQRA Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State, being 6 NYCRR Part 617, as amended (the "Regulations"), the Wayne County Board of Supervisors (the "Board") desires to determine whether the following action may have a "significant effect on the environment" (as said quoted term is defined in the SEQRA Act and the Regulations) and therefore require the preparation of an environmental impact statement: An action to make application to the New York State Commissioner of Economic Development for the designation of Empire Zone acreage for the Wayne County Empire Zone under a regionally significant project encompassing a total of approximately 78.97 acres in the Town of Savannah (the "Project"); and

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

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

RESOLVED, AS FOLLOWS:

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

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

RESOLUTION NO. 436-10: ADOPTING LOCAL LAW TO APPROVE THE ALLOCATION OF ZONE LANDS FOR GOOD SIMPLE FOODS, INC. FOR A REGIONALLY SIGNIFICANT PROJECT AS DETERMINED BY THE ZONE ADMINISTRATIVE BOARD AND THE NEW YORK STATE DEPARTMENT OF ECONOMIC DEVELOPMENT LAW

Mr. Spickerman presented the following:

WHEREAS, a local law to approve the allocation of zone lands for Good Simple Foods, Inc. for a regionally significant project as determined by the Zone Administrative Board and the New York State Department of Economic Development Law, was presented to the Board of Supervisors on Tuesday, June 2, 2010; and

WHEREAS, a public hearing on the proposed local law was held by the Board of Supervisors on Tuesday, June 15, 2010 at 7:20 pm, in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore, be it

RESOLVED, that said local law is hereby adopted to read as follows:

COUNTY OF WAYNE - STATE OF NEW YORK

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

A local law to approve the allocation of zone lands for Good Simple Foods, Inc. for a regionally significant project as determined by the Zone Administrative Board and the New York State Department of Economic Development Law.

WHEREAS, Good Simple Foods, Inc. is locating their business activities at 301-03 Route 89 in the Town of Savannah; and

WHEREAS, this project will create 50 jobs during the first three years of activity; and

WHEREAS, the project is not within the Wayne County Empire Zone boundaries; and

WHEREAS, the New York State Department of Economic Development has determined that the proposed project is eligible for Empire Zone benefits as a regionally significant project under Section 957(d)(i) of the General Municipal Law; and

WHEREAS, the Zone Administrative Board of the Wayne County Empire Zone has

determined that the proposed project is eligible for Empire Zones benefits as a regionally significant project under Section 957(d)(i) of the General Municipal Law; now, therefore, be it

RESOLVED, that the Board of Supervisors of the County of Wayne approves the allocation of zone lands for the proposed Good Simple Foods, Inc. manufacturing project for a regionally significant project as determined by the Zone Administrative Board and the New York State Department of Economic Development Law, said zone lands to constitute the property described in Appendix A hereto; and be it further

RESOLVED, that the Wayne County Board of Supervisors hereby requests that the New York State Commissioner of Economic Development approve this addition to the Wayne County Empire Zone as described in Section 1.

This local law shall take effect upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Groat.

Mr. Lauderdale addressed the Board and took this opportunity to commend Peg Churchill and her staff at Wayne Economic Development Corporation, for their efforts into this project that will bring employment opportunities to the Town of Savannah.

Upon roll call, adopted.

RESOLUTION NO. 437-10: AUTHORIZATION TO ADVERTISE FOR BIDS FOR JANITORIAL AND CUSTODIAL SERVICES FOR THE HEALTH SERVICES FACILITY

Mr. LeRoy presented the following:

WHEREAS, the contract for Janitorial and Custodial services for the Wayne County Health Services Facility, will expire on August 31, 2010; now, therefore, be it

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise, for bids for the services above, in accordance with specifications prepared by the Superintendent of Buildings and Grounds and approved by the County Attorney as to content and form; and be it further

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

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

RESOLUTION NO. 438-10: AUTHORIZATION TO AMEND A1615 BUILDINGS AND GROUNDS EQUIPMENT ADDENDUM

Mr. LeRoy presented the following:

WHEREAS, the 2010 equipment addendum for Account No. A1615.2300 approved \$21,000 for a 4X4 truck with plow and Account No. A1615.2500 approved \$9,000.00 for a skid steer backhoe attachment; and

WHEREAS, the quote we received from VanBortel Ford, based on the New York State Contract for the 4X4 truck with plow was in the amount of \$24,350.50; and

WHEREAS, Buildings and Grounds has reviewed the needs of the Parks Dept. and determined that more frequent trail inspections are needed to maintain them in a safe, usable condition for the public trail users; and

WHEREAS, It was determined that these inspections and maintenance could best be done with a turf type utility vehicle; and be it further

RESOLVED, that Buildings and Grounds Dept. will not purchase the skid steer attachment, and that the funds of \$9,000.00 shall be used to purchase the 4X4 pick up truck with plow from VanBortel Ford, as per NYS Contract #21910/PC65030 in the amount

of \$ 24,350.50; and be it further

RESOLVED, that the remaining funds of \$ 6,131.76 in the Buildings and Grounds .2 equipment addenda shall be used toward the purchase a turf type utility vehicle; and be it further

RESOLVED, that the County Treasurer is directed to amend the 2010 County Budget as follows:

A1615-BUILDINGS & GROUNDS:

\$3,350.50 to .52300 Motor Vehicles

\$3,350.50 from .52500 Other Equipment

Mr. Miller moved the adoption of the resolution. Seconded by Mr. Manktelow.

Mr. LeRoy moved, seconded by Mr. Plant, that the Resolution on the floor be amended and to read as follows:

"WHEREAS, the 2010 equipment addendum for A1615.2300 approved \$21,000 for a 4X4 truck with plow and A1615.2500 approved \$9,000.00 for a skid steer backhoe attachment; and

WHEREAS, the county received a quote from VanBortel Ford, based on the New York State Contract for the 4X4 truck with plow was in the amount of \$24,350.50; and

WHEREAS, Buildings and Grounds has reviewed the needs of the Parks Dept. and determined that more frequent trail inspections are needed to maintain them in a safe, usable condition for the public trail users; and

WHEREAS, It was determined that these inspections and maintenance could best be done with a turf type utility vehicle; and

WHEREAS, the county has received a quote from the John Deere Company, as per their NYSOGS Contract Award No. PC63063 for a 6 X 4 Gas Gator in the amount of \$6,978.44; now, therefore, be it

RESOLVED, that Buildings and Grounds Department will not purchase the skid steer attachment, and that the funds of \$9,000.00 shall be used to purchase the 4X4 pick up truck with plow from VanBortel Ford, as per NYS Contract #21910/PC65030 in the amount of \$ 24,350.50; and be it further,

RESOLVED, that the remaining funds of in the Buildings and Grounds .52500 equipment addenda shall be used toward the purchase a turf type utility vehicle totaling \$6,978.44; and be it further

RESOLVED, that the County Treasurer amend the 2010 County Budget as follows:

A1615-BUILDINGS AND GROUNDS:

\$3,350.50 to .52300 Motor Vehicles

\$2,503.82 from .52500 Other Equipment

\$ 846.68 from .54407 Building Maintenance Repair"

Upon roll call to adopt the amended resolution, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

RESOLUTION NO. 439-10: AUTHORIZATION TO CONTRACT WITH FRONTRUNNER FOR PHONE SYSTEM UPGRADE AND TRANSFER FUNDS FROM CONTINGENT ACCOUNT

Mr. LeRoy presented the following:

WHEREAS, Wayne County has owned and maintained two separate phone systems for more than twenty years; and the current version of our software and equipment has outlived the end of its useful life on both systems, and is no longer supported by the manufacturer; and

WHEREAS, Frontrunner Network Systems has been our preferred provider of services for more than twenty years; and they have provided us pricing from the NYS OGS Contract #PT58291, Award # T960252, for combining the Courthouse and Route 31 Phone Systems into a single CS 1000E system with up to date hardware and software that

provides us with all unlimited technical support and will help reduce future costs for upgrades and or improvements; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement, subject to approval of the County Attorney as to form and content, with Fronrunner Network Systems for the purchase and installation of a CS1000E Nortel Phone System, in the amount of \$ 198,608.00; and be it further

RESOLVED, that the County Treasurer create the following line items and amend the 2010 County Budget as follows:

A1615-BUILDINGS AND GROUNDS:

\$ 10,000.00 to .52201 ITEQP - Computer Equipment

\$173,304.00 to .52500 FREQP – Other Equipment

\$ 25,304.00 to .54000 FRLAB – Contractual Expense

A1990-CONTINGENT FUND GEN:

\$208,608.00 from .54000 Contractual Expense

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

RESOLUTION NO. 440-10: AUTHORIZATION TO EXECUTE CONTRACT WITH TIME WARNER FOR PHONE AND FIBER SERVICES

Mr. LeRoy presented the following:

WHEREAS, Wayne County is currently under contract with Time Warner for the provision of Fiber is several locations; and

WHEREAS, Wayne County also has agreements with Verizon, and AT&T for varied phone services; and Time Warner has reviewed all of our needs and provided us with a quote as per NYSOGS # PS63596

Dedicated Internet, Metro Ethernet, and Private Line Service Order Information

Customer Requested Site Name Address Location/Type/Bandwidth/Due Date

Remote 2 - 7376 State Route 31, Lyons, NY 14489

Remote 10 Mbps EPL Second Separate

Host 2 - 16 Williams St, Lyons, NY 14489

Host 10 Mbps

Monthly Recurring Charge at 7376 State Route 31, Lyons NY 14489				
Monthly Description/Quantity	Contract	Sales		Recurring
		Price	Total	
Term				
1 Unlimited Local and Long Distance Line	10	\$29.95	\$299.50	36 Months
BCP Additional Listing	54	\$3.15	\$170.10	36 Months
Business Class PRI - 3 Year	2	\$460.00	\$920.00	36 Months
DID Block 100 Numbers	9	\$15.00	\$135.00	36 Months
Free Voicemail	1	\$0.00	\$0.00	36 Months
NON CHARGING FIBER POINT	1	\$0.00	\$0.00	36 Months
PRIE911TAX	2	\$0.35	\$0.70	36 Months
Total			\$1,525.30	
*Prices do not include taxes and fees.				

Monthly Recurring Charge at 16 William St., Lyons, NY 14489				
Monthly Description/Quantity		Sales	Recurring	
Contract		Price	Total	Term
1 Unlimited Local and Long Distance Line	10	\$29.95	\$299.50	36 Months
BCP Additional Listing	54	\$3.15	\$170.10	36 Months
Business Class PRI - 3 Year	2	\$460.00	\$920.00	36 Months
DID Block 100 Numbers	9	\$15.00	\$135.00	36 Months
Free Voicemail	1	\$0.00	\$0.00	36 Months
POINT TO POINT INTERSTATE	1	\$1 200.00	\$1,200.00	36 Months
POINT TO POINT INTRASTATE	1	\$750.00	\$750.00	36 Months
PRIE911TAX	2	\$0.35	\$0.70	36 Months
*Total			\$3,475.30	
*Prices do not include taxes and fees.				

One Time Charge at 7376 State Route 31 Lyons NY 14489			
Description/Quantity		Sales	Price
Total			
WAIVED PRI ACCOUNT SET UP FEE	1	\$0.00	\$0.00
WAIVED BCP ACCOUNT SETUP FEE	1	\$0.00	\$0.00
ACCOUNT SETUP FEE (1-6 LINES)	1	\$75.00	\$75.00
Total			\$75.00
*Prices do not include taxes and fees.			

now, therefore, be it,

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement with Time Warner, subject to approval of the County Attorney as to form and content, with Time Warner for the services described above for an amount not to exceed \$5,000.60.

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

RESOLUTION NO. 441-10: AUTHORIZATION TO ACCEPT PROPOSAL FROM IMPERIAL DOOR CONTROLS, INC.

Mr. LeRoy presented the following:

WHEREAS, Wayne County has standardized on the use of automatic door openers to be manufactured by Horton as per Resolution No. 341-10; and we were only able to find one vendor that both sells, and installs the Horton Automatic Door Openers; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to accept the proposal and enter into an agreement, subject to the approval of the County Attorney as to form and content, as received from Imperial Door Controls, Inc. to furnish and install 2- S4100 Automated Low Energy Heavy Duty Single Door Openers at County Office Building No. 0003, located at 9 Pearl St. Lyons in the amount of \$ 3,750.00.

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

RESOLUTION NO. 442-10: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH

THE TOWN OF WILLIAMSON

Mr. LeRoy presented the following:

WHEREAS, Wayne County Buildings and Grounds/ Park Dept. has the need for both Gasoline and Diesel fuel for the equipment located at B. Forman Park in the Town of Williamson; and the Town of Williamson has a Fuel Dispensing Facility within a short distance of B. Forman Park; and the Town of Williamson has offered the use of said facility for the purposes of filling gas and diesel cans for use at B. Forman Park at cost, plus five cents per gallon; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an agreement with the Town of Williamson, subject to the approval of the County Attorney as to form and content for the use of their Fuel Dispensing Facility and pay the town the actual cost of the fuel plus five cents per gallon surcharge for overhead and administration.

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

RESOLUTION NO. 443-10: AUTHORIZATION TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH FISHER ASSOCIATES FOR THE CREAGER ISLAND BRIDGE PROJECT

Mr. LeRoy presented the following:

WHEREAS, the Creager Island Bridge project is funded with 100% Federal money; and the original scope of work did not assume an Endangered Species investigation or ROW acquisitions would be necessary; and

WHEREAS, the preliminary design process identified a need for an Endangered Species investigation and ROW easement acquisitions; and the NYSDOT has approved both work items as eligible expenses to be included in the project; and

WHEREAS, the project budgets currently have enough funds to include the additional costs as follows:

Endangered Species Investigation - \$6,000.00

ROW Acquisition Costs - \$5,642.00

now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a supplemental agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Fisher Associates Engineers for the costs associated with the Endangered Species investigation and the ROW acquisition process for the Creager Island bridge project.

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

RESOLUTION NO. 444-10: AUTHORIZATION TO ACCEPT LOW BID FOR ALUMINUM BOX CULVERT PIPE FOR THE SMITH ROAD CULVERT PROJECT FOR WAYNE COUNTY HIGHWAY DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, the County Highway Superintendent requested to advertise for aluminum box culvert pipe for the Smith Road Culvert Project D51122.52636 and was granted approval in Resolution 202-10; and

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for aluminum box culvert pipe for the County Highway Department, and the bids were open on Tuesday, May 11, 2010 at 10:00 a.m. and the following bids were received:

<u>Bidder</u>	<u>Bid Amount</u>
Chemung Supply Corp.	\$18,550.00
Vellano Bros., Inc.	\$23,123.50

and

WHEREAS, the bids received were a significant savings over the NYS OGS purchase

price for aluminum box culver pipe of \$25,912.50; now, therefore, be it

RESOLVED, that the bid submitted by Chemung Supply Corp. of Elmira, NY in the bid price of \$18,550.00 in accordance with the specifications, is hereby accepted; and be it further

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

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

RESOLUTION NO. 445-10: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH POPLI DESIGN GROUP FOR THE CONSULTANT SERVICES FOR THE ARCADIA-ZURICH-NORRIS ROAD BRIDGE PROJECT

Mr. LeRoy presented the following:

WHEREAS, the Highway Superintendent was granted authorization to request proposals for engineering services for the Arcadia-Zurich-Norris Road over Salmon Creek Project (Resolution 914-09); and this project is federally funded and included on the current Transportation Improvement Plan; and

WHEREAS, the project shares will be 80% federal and 20% local and if the State allocates Marchiselli funds, the local match will be reduced to 5%; and the scope of work for the Bridge Replacement Project has been reviewed and approved by the New York State Department of Transportation (NYSDOT); and

WHEREAS, the fee of \$220,000 has been negotiated with Popli Design Group and approved by the NYSDOT; and; 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 Popli Design Group for the replacement of the Arcadia-Zurich-Norris Road Bridge over Salmon Creek in the Town of Sodus (PIN 4754.97); and be it further

RESOLVED, that the County Treasurer is hereby authorized to create and establish line items and amend the 2010 County Budget as follows:

D5112 – ROAD CONSTRUCTION:

\$220,000.00 to .52925 Arcadia Zurich Road Bridge Project

D9999 – OTHER:

\$176,000.00 to .44511 Federal Aid-Marchiselli Funds

\$ 44,000.00 to .45031 Interfund Transfers

A1990-CONTINGENT FUND GENERAL:

\$44,000.00 from .54000 Contractual Expenses

A99001-INTERFUND TRANSFER:

\$44,000.00 to .59300 Transfer – County Road

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

RESOLUTION NO. 446-10: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH ONTARIO COUNTY TO ALLOW SHARED SERVICES BETWEEN HIGHWAY DEPARTMENTS

Mr. LeRoy presented the following:

WHEREAS, Ontario County has prepared and executed an agreement with the Towns within Ontario County to allow shared services and equipment; and Ontario County has extended the offer to Wayne County to enter into the same agreement allowing sharing of resources; and

WHEREAS, the Wayne County Highway Department has occasions when equipment may be needed in emergency or short term situations, and can also offer the same to

Ontario County; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Ontario County for the purpose of sharing equipment and resources between the Counties.

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

RESOLUTION NO. 447-10: AUTHORIZATION TO CONTRACT WITH VICTOR B. CHAMBERS, ESQ. TO ACT AS ASSIGNED COUNSEL ADMINISTRATOR (Appellate Counsel)

Mr. Plant presented the following:

WHEREAS, Resolution No. 736-08 authorized Wayne County to enter into an agreement with Victor B. Chambers, Esq. to act as Assigned Counsel Administrator regarding Appellate Counsel to review, audit and recommend approval or disapproval of claims filed by attorneys appointed pursuant to Article 18B of the County Law at a rate of seventy-five (\$75.00) per hour for a term that commenced on November 7, 2008 and terminated December 31, 2009; and

WHEREAS, Mr. Chambers is willing to continue to provide said services to the County at the same rate of seventy-five (\$75.00) per hour for a term commencing January 1, 2010 through December 31, 2010; now, therefore, be it

RESOLVED, that Chairman of Wayne County Board of Supervisors is authorized to enter into an agreement subject to the County Attorney's review and approval with Victor B. Chambers, Esq. to provide the County with services consisting of Appellate Counsel Administrator to assign appellate counsel and to review, audit, recommend approval or disapproval of claims pursuant to Article 18B of the County law. Compensation shall be at a rate of seventy-five (\$75.00) an hour. The term of said agreement shall commence January 1, 2010 and terminate December 31, 2010.

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

RESOLUTION NO. 448-10: AUTHORIZATION TO CONTRACT WITH VICTOR B. CHAMBERS, ESQ. TO ACT AS ASSIGNED COUNSEL ADMINISTRATOR

Mr. Plant presented the following:

WHEREAS, Resolution No. 736-08 authorized Wayne County to contract with Victor B. Chambers, Esq. to act as Assigned Counsel Administrator at a rate of seventy-five (\$75.00) per hour total contract not to exceed Nine Thousand Eight Hundred and Five and 00/100 (\$9,805.00) for a term that commenced November 7, 2008 and terminated December 31, 2009; and

WHEREAS, Victor B. Chambers, Esq. is willing to continue to provide said services to the County at a rate of compensation of seventy-five (\$75.00) an hour for a contract amount not to exceed Ten Thousand and 00/10 (\$10,000.00) for a period commencing January 1, 2010 and terminating December 31, 2010; now, therefore, be it

RESOLVED, that Chairman of Wayne County Board of Supervisors is authorized to enter into an agreement subject to the County Attorney's review and approval with Victor B. Chambers, Esq. to act as Assigned Counsel Administrator. Compensation shall be at a rate of seventy-five (\$75.00) an hour for a contract amount not to exceed Ten thousand three hundred and 00/100 (\$10,000.00) for the period commencing January 1, 2010 and terminating December 31, 2010.

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

RESOLUTION NO. 449-10: AUTHORIZATION TO EXECUTE AGREEMENT AND AMEND 2010 COUNTY BUDGET FOR E911 COMMUNICATIONS

Mr. Plant presented the following:

WHEREAS, Wayne County 911 operates a mobile computing system that is used by the Sheriff's Office, State Police, and municipal police agencies located in Wayne County; and the mobile computing system utilizes two radio frequencies in the 800 MHz spectrum for system data transmission; and

WHEREAS, Nextel (Sprint), the wireless communications corporation, entered into an agreement with the Federal Communications Corporation whereby Nextel will be allocated radio spectrum currently occupied by others, with Nextel to fund the costs for current users within the targeted portion of spectrum to convert their systems to other frequencies, with the initiative commonly referred to as the Nextel re-banding initiative; and

WHEREAS, the radio frequencies licensed to the County, and utilized for the aforementioned mobile computing system, are within the portion of radio spectrum affected by the Nextel re-banding initiative; and the law firm of Shulman, Rogers, Gandal, Pordy & Ecker, pursuant to Board of Supervisors resolution 569-09, has been utilized by the County to negotiate on the County's behalf, the terms and conditions of an agreement with Nextel, with said agreement entitled Frequency Reconfiguration Agreement; and

WHEREAS, in association with the Agreement, the County, the State (for the State Police), and each municipality in the County owning and operating a municipal police department, will be eligible to recover actual labor costs associated with the reprogramming of the 800 MHz radios, through the County, as the County is the licensee and equipment owner, with such recovery not to exceed \$16,978.74 in total for the County and all system user agencies; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute a Frequency Reconfiguration Agreement with Nextel Operations Inc., subject to the approval of the County Attorney as to form and content; and be it further

RESOLVED, that the County Treasurer is hereby directed to create the following project line items and amend the 2010 county budget as follows:

A3642-E911 COMMUNICATIONS:

\$16,979.00 to .42770 NXTFR - Miscellaneous Revenues

\$16,979.00 to .54000 NXTFR – Contractual Expense

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

RESOLUTION NO. 450-10: AUTHORIZATION TO PURCHASE MOBILE RADIOS AND SIREN & LIGHT CONTROLS RELATIVE TO THE PUBLIC SAFETY RADIO INTEROPERABILITY PROJECT

Mr. Plant presented the following:

WHEREAS, Board of Supervisors Resolution 333-10 specified that the standard mobile radio to be purchased in association with the Radio Project shall be the Motorola XTL-1500; and the fire departments, EMS agencies, and police departments of Wayne County have made their determinations as to the quantities of mobile radios and accessories required by each entity through the application of their PSIC grant project allocations; and

WHEREAS, replacing the mobile radios of the Sheriff's Office patrol, investigative, and administrative vehicles will necessitate that siren & light controllers also be purchased for each vehicle, as these controls are currently embedded in the non-compliant vehicle radios, which require replacement; now, therefore, be it

RESOLVED, that, on behalf of the public safety related agencies in the county slated to receive replacement mobile radios through the Radio Interoperability Project, the 911 Coordinator shall be authorized to purchase a total of 381 Motorola XTL-1500 mobile radios, and 6 XTL-2500 mobile radios, utilizing New York State purchasing contract number PT62495, as well as agency selected mobile radio accessories, at a cost of \$995.70 for each XTL-1500 radio, and \$2263.20 for each XTL-2500 radio, for a total mobile radio and accessory purchase cost not to exceed \$394,074.90; and be it further

RESOLVED, that, on behalf of the Sheriff's Office, the 911 Coordinator shall be authorized to purchase 70 Whelan siren & light controllers, model 295SLSA6, through Finger Lakes Communications, utilizing New York State purchasing contract number PC62852, at a cost of \$340.48 each, for a total cost not to exceed \$23,833.60; and be it further

RESOLVED, that the siren & light controllers shall be purchased with County funds, through the Radio Interoperability project account.

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

RESOLUTION NO. 451-10: AUTHORIZATION TO PURCHASE PORTABLE RADIOS AND PAGERS RELATIVE TO THE PUBLIC SAFETY RADIO INTEROPERABILITY PROJECT

Mr. Plant presented the following:

WHEREAS, Board of Supervisors Resolution No. 334-10 specified that the standard portable radio to be purchased in association with the Radio Project shall be the Motorola XTS-1500; and Board of Supervisors Resolution No. 335-10 specified that the standard pager to be purchased in association with the Radio Project shall be the Motorola Minitor V; and

WHEREAS, the fire departments, EMS agencies, and police departments of Wayne County have made their determinations as to the quantities of portable radios and accessories, and pagers required by each entity through the application of their PSIC grant project allocations; now, therefore, be it

RESOLVED, that, on behalf of the public safety related agencies in the county slated to receive replacement mobile radios through the Radio Interoperability Project, the 911 Coordinator shall be authorized to purchase a total of 639 Motorola XTS-1500 portable radios, utilizing New York State purchasing contract number PT62495, as well as agency selected portable radio accessories, at a cost of \$829.10 for each portable radio, for a total portable radio and accessory purchase cost not to exceed \$565,186.65; and be it further

RESOLVED, that, on behalf of the public safety related agencies in the county slated to receive replacement pagers through the Radio Interoperability Project, the 911 Coordinator shall be authorized to purchase a total of 1080 Motorola Minitor V pagers, utilizing municipal purchasing contract number 09-FSB-1 between Motorola and the County of Saratoga, with the cost of said pagers to range between \$312.12 and \$380.80 depending on which, of four, models were chosen by each department or agency, for a total pager purchase cost not to exceed \$383,728.76.

Mr. Plant moved, seconded by Mr. LeRoy, to amend the last two "RESOLVED" clauses as follows:

"RESOLVED, that, on behalf of the public safety related agencies in the county slated to receive replacement mobile radios through the Radio Interoperability Project, the 911 Coordinator shall be authorized to purchase a total of 639 Motorola XTS-1500 portable radios, utilizing New York State purchasing contract number PT62495, as well as agency selected portable radio accessories, at a cost of \$829.10 for each portable radio, for a total portable radio and accessory purchase cost not to exceed \$568,313.40; and be it further

RESOLVED, that, on behalf of the public safety related agencies in the county slated to receive replacement pagers through the Radio Interoperability Project, the 911 Coordinator shall be authorized to purchase a total of 1080 Motorola Minitor V pagers, utilizing municipal purchasing contract number 09-FSB-1 between Motorola and the County of Saratoga, with the cost of said pagers to range between \$344.08 and \$380.80 depending on which pager features were chosen by each department or agency, for a total pager purchase cost not to exceed \$398,943.76."

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

Mr. Groat moved, seconded by Mr. Kelsch, to adopt the amended resolution. Upon roll call, adopted.

RESOLUTION NO. 452-10: AUTHORIZATION TO EXECUTE INTERMUNICIPAL AGREEMENTS IN ASSOCIATION WITH THE RADIO INTEROPERABILITY PROJECT

Mr. Plant presented the following:

WHEREAS, many of the police departments, fire departments, and EMS agencies in the county will be receiving mobile radios, portable radios, or pagers, and accessories, in association with the Radio Interoperability Project; and the majority of the costs for the aforementioned equipment will be derived from the Public Safety Interoperable Communications (PSIC) federal grant program; and

WHEREAS, the County will be making all grant funded equipment purchases associated with the project, in accordance with the determinations made by each department or agency; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute agreements negotiated with each municipality or other applicable owner for each department or agency scheduled to receive equipment through this project, with the form and content of said agreements subject to the approval of the County Attorney.

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

RESOLUTION NO. 453-10: AUTHORIZATION TO EXECUTE CONTRACTS OF AFFILIATION FOR WAYNE COUNTY PROBATION

Mr. Plant presented the following:

WHEREAS, Wayne County Probation periodically agrees to have both undergraduate and graduate students participate in internships through the College at Brockport and Nazareth College; and the Probation Department has agreed to have a graduate candidate participate through The Greater Rochester Collaborative Master of Social Work Program; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to submit said Contracts of Affiliation with the College at Brockport and Nazareth College, subject to County Attorney approval.

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

RESOLUTION NO. 454-10: AUTHORIZATION TO AMEND THE SHERIFF'S BUDGET FOR THE PURCHASE AND INSTALLATION OF ADDITIONAL SURVEILLANCE CAMERAS IN THE CORRECTIONAL FACILITY

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office recently purchased and installed a closed circuit camera system for the correctional facility at a total cost of \$185,908.00 (Resolution # 448-09); and *Securitronics* was the camera system vendor; and

WHEREAS, two additional locations have been identified in the correctional facility as requiring camera surveillance for officer safety reasons; and the Wayne County Sheriff is requesting to purchase and have installed two additional cameras to the existing system by *Securitronics* for an amount not to exceed \$1,890.00; and

WHEREAS, the Wayne County Sheriff will pay for one of the installed cameras (\$945.00) from the Jail revenue account, and is requesting to amend the budget to pay for the second installed camera by transferring (\$945.00) from Jail Miscellaneous account; now, therefore, be it

RESOLVED, that the Wayne County Sheriff is authorized to purchase and have

installed by *Securitronics* two additional cameras in the correctional facility; and be it further RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to amend the 2010 County Budget as follows:

A3150-SHERIFF JAIL:

\$ 945.00 to .42770 Miscellaneous Revenue

\$1,890.00 to .52500 Other Equipment

\$ 945.00 from .54600 Miscellaneous

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

RESOLUTION NO. 455-10: AUTHORIZATION TO MODIFY THE 2010 COUNTY BUDGET FOR US DEPARTMENT OF JUSTICE FY09 RECOVERY ACT EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM LOCAL SOLICITATION IN THE AMOUNT OF \$25,334

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office received a grant in the amount of \$25,334 from the Office of Justice Assistance for the purchase of crime scene illumination and related investigation equipment, award No. 2009-SB-B9-2889; and the Wayne County Board of Supervisors previously approved the acceptance of the grant (Resolution No. 595-09); and

WHEREAS, the Wayne County Sheriff is currently obtaining quotes for said authorized equipment; and be it further

RESOLVED that the Wayne County Treasurer is hereby authorized and directed to amend the 2010 County Budget as follows:

Account No A3115 Detective

\$25,334 to .52500 Other equipment

\$25,334 to .44328 DOJ LLEBEG

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

RESOLUTION NO. 456-10: AUTHORIZATION TO AMEND SHERIFF'S CORRECTIONS BUDGET TO COVER COSTS ASSOCIATED WITH SERVICES PROVIDED BY THE OFFICE OF MENTAL HEALTH

Mr. Plant presented the following:

WHEREAS, the Wayne County Jail provides services to inmates in facilities operated by the New York State Office of Mental Health under Criminal Court and/or Family Court Order, and Correction Law Admission, as mandated by Criminal Procedure Law (CPL); and the Wayne County Sheriff's Corrections Division budget for (CPL) expenditures was decreased from \$92,000 in 2009 to \$50,000 in 2010; and the Wayne County Treasurer in March 2010 amended to Sheriff's budget (resolution # 196-10) to cover costs associated with CPL expenditures; and

WHEREAS, the Wayne County Sheriff's Office received on May 6, 2010 a bill for incarcerated services provided by the Office of Mental Health for the month of February, 2010 totaling \$11,262.86, leaving a negative balance of \$33.74 in the CPL account; and the Wayne County Sheriff is requesting the transfer of funds not to exceed \$20,000 to the CPL account to cover current and future CPL related expenses; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to amend the 2010 County Budget as follows:

A1990-Contingent Fund General:

\$20,000 from .54000 Contractual Expense

A31504 Sheriff-Jail

\$20,000 to 54571 CPL costs

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

RESOLUTION NO. 457-10: AUTHORIZATION TO ENTER INTO AN INTERMUNICIPAL AGREEMENT WITH SCHUYLER COUNTY TO PROVIDE LAW ENFORCEMENT SERVICES FOR SCHUYLER COUNTY SHERIFF'S OFFICE AT WATKINS GLEN DURING RACING SEASON

Mr. Plant presented the following:

WHEREAS, the County of Schuyler has requested the assistance of the Wayne County Office of the Sheriff to provide additional law enforcement services during the auto racing season at Watkins Glen International; and the County of Wayne had previously authorized former Sheriff Piscioti to enter into an Intermunicipal Agreement with Schuyler County to provide law enforcement services and related equipment to Schuyler County during the auto racing season at Watkins Glen International (resolution 357-08); and

WHEREAS, said agreement was entered into with Schuyler County by former Sheriff Piscioti, and law enforcement services and related equipment were provided to Schuyler County at Watkins Glen International; and Sheriff Virts is requesting to enter into an Intermunicipal Agreement with Schuyler County for said law enforcement services and related equipment for the racing season at Watkins Glen International; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors and Wayne County Sheriff are hereby authorized and directed to execute an Intermunicipal Agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Schuyler County establishing the terms and conditions for the provision of said law enforcement services and related equipment to Schuyler County, during the auto racing season at Watkins Glen International; and be it further

RESOLVED, that members of the Sheriff's Office who participate in providing services to Schuyler County shall do so on a voluntary basis during off duty hours, including approved leave time, and shall be considered employees of Schuyler County while providing law enforcement services to Schuyler County.

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

RESOLUTION NO. 458-10: AUTHORIZATION TO SELL CERTAIN REAL PROPERTY PARCELS ACQUIRED BY THE COUNTY FOR DELINQUENT TAXES TO ADJOINING LAND OWNERS

Mr. Hammond 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 2008 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; and pursuant to Resolution #321-10, the County Treasurer was 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 2008 as of the close of business on June 15, 2010; and

WHEREAS, Resolution #321-10 authorized the properties shown on Appendix A to be offered and sold at the public auction sale; and upon further review, the Real Property Tax Director has recommended that certain properties included in Schedule A because of their size and/or location, be offered for sale to adjoining landowners rather than sold at the Public Auction; and

WHEREAS, the County of Wayne currently owns a .22 acre parcel of land located in the Village of Red Creek, Town of Wolcott, adjacent to and south of the RG&E right-of-way, identified as tax map # 78118-14-328474 on the Town of Wolcott assessment roll which it previously acquired 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; and

WHEREAS, it has been determined that said parcel is surplus and of no use for County purposes; and it has further been determined that said parcel, because of size and/or location should be offered for sale to adjoining landowners rather than the public auction; now, therefore, be it

RESOLVED, that the .22 Acre parcel of land located in the Village of Red Creek, Town of Wolcott, identified as tax map # 78118-14-328474 is declared as surplus; and be it further

RESOLVED, that the Director of the Real Property Tax Services is hereby authorized to offer for sale the following properties to adjoining land owners:

SEQ #	VILLAGE/TOWN	TAX ID #	LOCATION
226	V/WOLCOTT/TOWN OF BUTLER	75116-07-617976	Limekiln Rd
603	V/LYONS/TOWN OF LYONS	71111-05-097862	Rice St
1357	TOWN OF SODUS	69118-00-895084	Rear State St
1891	V/RED CREEK/TOWN OF WOLCOTT	78118-14-303371	6852 Church St
	V/Red Creek/Town of Wolcott	78118-14-328474	6939 Main St

and be it further

RESOLVED, that the Director of the Real Property Tax Services is hereby authorized and directed to mail bid requests to all appropriate land owners and charge the mailing and related expenses to Account No. A1364.54000 (Expenses for Property Acquired for In Rem Purposes); and be it further

RESOLVED, that the above listed properties shall be offered and sold subject to the following 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. Former owners will not be allowed to bid on their properties.
3. 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.
4. 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 the purchaser defaults, or has outstanding real property taxes.
5. 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.
6. 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.

7. The County will not furnish an abstract of title or an instrument survey map.
8. 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.
9. 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.
10. Evictions, if necessary, are solely the responsibility of the successful bidder after closing and recording of the deed.
11. 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.
12. The County will convey the property free and clear of tax liens accrued on or before January 1, 2010.
13. The purchaser will pay all of the following taxes and charges, including all interest and penalties if applicable if they have not been paid:
 - 2010- Village Tax
 - 2010- School Tax
 - 2011 Town Tax & County Tax which may include relieved village or school taxes- INCLUDING ANY APPLICABLE INTEREST AND PENALTIES
 - Federal and/or State taxes, liens and encumbrances of recordIn 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.
14. The Bidder shall submit full payment by certified check or money order, immediately at time of bid submission for any bids in the amount of \$1,000 or less.
15. Regarding any bids for more than \$1,000, the bidder shall submit the amount of \$1,000 plus 10% of the bid amount over \$1,000 upon the bid submission by certified check or money order.
16. 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, nor 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.
17. 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.
18. 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.

19. The purchaser's bid will be submitted to the Board of Supervisors on July 20, 2010. It shall be the purchaser's responsibility to contact the County Real Property Tax Service Agency (946-5916) on or after July 21, 2010 to determine whether the bid was accepted or rejected by the Board of Supervisors.
20. 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 Attorney's Office not later than July 30, 2010 by 3:00 p.m. 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. ALL DEEDS SHALL BE EXECUTED SOLELY IN THE NAME OF THE BIDDER (AND SPOUSE, IF REQUESTED) AS SUBMITTED IN THE BID DOCUMENTS. If the purchaser fails to make such payments on or before July 30, 2010, 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.

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

RESOLUTION NO. 459-10: AMEND NURSING HOME REHAB PROJECT (H1925) PER CHANGE ORDER NUMBERS APPROVED ON MAY 4, 2010

Mr. Hammond presented the following:

WHEREAS, The Building Renovation Committee (BRC) has the authority to approve changes orders up to \$10,000.00 for the Old Nursing Home Renovation project; and the BRC met on May 4, 2010 to review the status of the project and reviewed and approved various change orders within the components of the project; and

WHEREAS, the following change orders were reviewed and approved for the General Contractor component: GC-13 decrease \$1,256.00 for Telephone Room Abatement Deletion; GC-29 increase \$6,457.00 for Existing Door/Frame Replacement; GC-31 increase \$174.00 for Room 1024 Hose Bib; GC-33 decrease \$613.00 for Shower & Drying Area Tile Transition; GC-34 increase \$7,200.00 for B Wing Chase at Column 10a/n; GC-36 decrease \$985.00 for Room 1038 Delete SS Lab Casework; GC-37 increase \$2,678.00 for Operable Partition Changes for a net increase to the General Contractor component of \$13,655.00; and

WHEREAS, the above approved change orders require amendments to the H1925 CO. BLDG. RENOVATION-ONH budget; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to amend Project H1925 CO. BLDG. RENOVATION-ONH as follows:

H1925-CO.BLDG. RENOVATION-ONH:

\$13,655.00 to .52813 General Trades

\$13,655.00 from .52818 Contingency

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

RESOLUTION NO. 460-10: AUTHORIZATION TO AMEND CONTRACT WITH TOSHIBA COPIERS FOR THE REMOVAL OF HARD DRIVES AND THE END OF LIFE OF COPIERS OR CONTRACT

Mr. Hammond presented the following:

WHEREAS, the County of Wayne leases the majority of our copiers with Toshiba with the lease ending December 31, 2013; and it has been brought to our attention that the digital copiers actually store an image on a hard drive located in the copier which can be

retrieved; and

WHEREAS, much of the County information copied is covered by HIPPA regulations and other sections of law which shall remain with the County; and in cooperation with Toshiba, an agreement to have all hard drives removed from the copiers when they leave County service and a new hard drive installed along with a certificate that this is the hard drive that was removed from the computer being presented to the County for a fee of \$150.00 per machine; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the amendment, upon review of the County Attorney, with Toshiba Business Solutions to have all hard drives removed from the copiers when they leave County service and a new hard drive installed along with a certificate that this is the hard drive that was removed from the computer being presented to the County for a fee of \$150.00 per machine payable when the certificate is received by Wayne County.

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

RESOLUTION NO. 461-10: PROCEDURE FOR SURPLUS COMPUTER EQUIPMENT DISPOSITION

Mr. Hammond presented the following:

WHEREAS, there is not currently a procedure for re-use of replaced computer equipment; and the County Administrator has recommended that the county include town, village, and other governmental entities in the procedure; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby adopts this

Surplus Computer Equipment Disposition Procedure:

1. As soon as a replacement computer or printer is put into service, the department head shall release the replaced equipment to Information Technology for them to determine if it could be reused in another capacity. If the equipment is no longer serviceable or is from a department where sensitive information may have been stored on it, the Department Head shall submit a resolution transmittal declaring the equipment as surplus and ready for recycling.
2. Information Technology shall evaluate the equipment and shall compile a list with all the pertinent information about the equipment and also the condition and suggested sale price. Sale price will be an amount equal to the hours to cleanse the machine times the then going rate for IT services. A copy of this form shall be sent to the Purchasing Agent.
3. All Town Supervisors and Village Clerks will be notified by the Purchasing Agent of the availability of this equipment and a deadline date for their response. Towns and Villages are responsible for notifying any other entities within their jurisdiction.
4. The County Administrator and the Board of Supervisors will review the requests and make a determination as to the disposal of the equipment. The following priority guidelines are established:
 - If more than one request is received, priority will be given to entities that have not previously purchased equipment from the county.
 - After the first priority has been taken into consideration, consideration will be given to requests in the order said requests are received in writing by the Purchasing Agent.
 - After all the above are considered, the County Administrator and Finance Committee will recommend to the Board the disposition of the equipment.
5. The Board will adopt a resolution for the disposition of the equipment. The Purchasing Agent will forward a copy of said resolution to the governmental entity whose request has been accepted. Said governmental entity shall within forty-five days of said notification forward the purchase price to the Purchasing Agent.
6. Any equipment sold will be sold "as is" and "where is" and it will become the sole

property of the entity making the purchase.

7. If equipment is not sold it will be declared surplus and be disposed in accordance with county policy.

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

RESOLUTION NO. 462-10: AMEND NURSING HOME REHAB PROJECT (H1925) PER CHANGE ORDER NUMBERS APPROVED ON JUNE 1, 2010

Mr. Hammond presented the following:

WHEREAS, the Building Renovation Committee (BRC) has the authority to approve changes orders up to \$10,000.00 for the Old Nursing Home Renovation project; and the BRC met on June 1, 2010 to review the status of the project and reviewed and approved various change orders within the components of the project; and

WHEREAS, the following change orders were reviewed and approved for the General Contractor component: GC-30 increase \$531.00 for Gap infill at men's locker room 1011 and \$452.00 increase for infill with blank metal filler panel from locker supplier; GC-39 increase \$5,934.00 for Area "B" Administrative area floor plan revisions; GC-40 decrease \$402.00 for deletion of labor and material of countertop along north wall of Room 2009; GC-41 increase \$4,978.00 for abatement of windows in Room 26 & 26, abatement of 4 windows at south wall of link between areas "C" and "D"; GC-42 increase \$293.00 for 10 pipe rail stanchions require revised mounting detail to mount metal deck/structural steel in lieu of concrete deck; GC-43 increase \$7,480.00 for Area "B" basement abatement in CMU for Mechanical, Electrical and Plumbing contractors penetrations; GC-44 increase \$3,992.00 for pricing to saw cut concrete, remove angle iron and infill trench in Boiler room; GC-45 increase \$2,150.00 for removing existing "B" basement metal chimney cap, dryer vent stacks and infill opening with CMU and install sloped pre-cast cap on existing chimney; GC-46 increase \$465.00 for concrete curb installed under Electrical Room door 0041, curb to be painted safety yellow; GC-47 increase \$1,769.00 for masonry repair of east wall in Maintenance Room 1018 and Electrical Room 1016; GC-48 increase \$4,099.00 for additional storm sewer connection in existing electrical vault, epoxy grout all exterior openings of vault, new electrical cover for vault; GC-49 increase \$4,996.00 for fur out various walls to allow for installation of surface mounted electrical devices on asbestos containing walls without abatement; GC-51 increase \$6,720.00 for removal 3 windows in Room 1017 and reinstall at 48" above finished floor to avoid conflict with scheduled countertop; GC-52 increase \$1,830.00 for removal of 2 windows in area "D" under abatement; GC-57 increase \$2,494.00 for masonry walls and piers in corridor C-003 to conceal fragmented blocks as a result of abatement; for a net increase to the General Contractor component of \$47,781.00; and

WHEREAS, the following change orders were reviewed and approved for the HVAC component: HVAC-05 no cost for floor plan revision to Area "B" Administrative Area's; for a no cost change to the HVAC component; and

WHEREAS, the following change orders were reviewed and approved for the Electrical component: EC-06 increase \$2,911.00 for re-feed Maintenance Garage power supply; EC-09 increase \$422.00 to provide a flush mounted box in ceiling of Room 2026 for power to overhead projector; EC-10 increase \$495.00 for relocation of power and light fixtures to allow for closets in Rooms 1007, 1008, 1009 and 1010; EC-13 increase \$4,779.00 for electrical costs for revision of floor plan layout of "B" wing administrative area; EC-14 increase \$2,505.00 for lighting fixture and dimmer control changes in Rooms 1016, 1017, 1018 and 1019 for a net increase to the Electrical component of \$11,112.00; and

WHEREAS, the following change orders were reviewed and approved for the Plumbing and Fire Protection component: PC-02 increase \$3,621.00 for re-routing south end of "C" wing storm line to avoid footer, once past footer, offset back to connect to existing storm drain. Existing storm drain below footer to be removed and backfilled for a net increase to the Plumbing and Fire Protection component of \$3,621.00; and

WHEREAS, the above approved change orders require amendments to the H1925 CO. BLDG. RENOVATION-ONH budget; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to amend Project H1925 CO. BLDG. RENOVATION-ONH as follows:

H1925-CO.BLDG. RENOVATION-ONH:

\$47,781.00 to .52813 General Trades

\$11,112.00 to .52815 Electrical

\$ 3,621.00 to .52816 Plumbing & Fire Protection

\$ 62,514.00 from .52818 Contingency

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

RESOLUTION NO. 463-10: AUTHORIZATION TO ACCEPT AUDIT QUOTATION FOR ACCOUNTING SERVICES

Mr. Hammond presented the following:

WHEREAS, the County is required to have audit services provided for various oversight and regulatory agencies of the State and Federal Government; and the County has engaged the services of Raymond F. Wager CPA and wishes to continue to have them provide these services; and

WHEREAS, New York State Department of Transportation is requiring a Compliance Audit for 2009; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign an engagement letter with Raymond F. Wager, CPA to provide these services for the fiscal year 2009 during the calendar year 2010, not to exceed \$4,500.

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

RESOLUTION NO. 464-10: ESTABLISH LINE ITEMS FOR NURSING HOME PROJECT SUBSIDY RECEIPTS AND FEES ASSOCIATED WITH BONDING

Mr. Hammond presented the following:

WHEREAS, the County bonded a portion of the project utilizing the Build America and Recovery Zone Bonds which subsidize the County for utilizing these taxable Bonds; and the County will also have to pay fees to MBBA for participating in said Bonds; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to amend the 2010 County Budget as follows:

A9710-SERIAL BONDS:

\$35,242.00 to .42769 Subsidy Receipts

\$35,242.00 to .54517 MBBA Fees

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

RESOLUTION NO. 465-10: RESOLUTION REQUESTING NEW YORK STATE COMPTROLLER TO REVIEW AND ADJUST 2011 RETIREMENT SYSTEM CONTRIBUTION RATES BASED UPON CURRENT STATUS OF PENSION FUND RATE OF RETURN

Mr. Hammond presented the following:

WHEREAS, New York State Comptroller DiNapoli has recently announced that the New York State Pension Fund posted a 25.9 percent rate of return for the fiscal year ended March 31, 2010; and the previously projected rates for payment on February 1, 2011 anticipated a substantial increase in the contribution rates for 2011 based upon a negative rate of return for the fiscal year ending March 31, 2009; and

WHEREAS, in light of the much improved rate of return for the Pension Fund, it appears that an adjustment of the 2011 rates are warranted; and the aforesaid adjustment

in rates would reduce the taxpayers burden on funding the costs for the New York State Retirement System in 2011; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby requests New York State Comptroller DiNapoli to review and adjust the 2011 New York Retirement System Contribution Rates based upon the more recent and improved rate of return reflected in the report for the fiscal year ended March 31, 2010.

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

AD HOC COMMITTEE – Building Relocation Committee

RESOLUTION NO. 466-10: AUTHORIZATION TO AMEND THE 2010 COUNTY BUDGET FOR PROJECT H1925 COUNTY BUILDING RENOVATION-OLD NURSING HOME

Mr. Spickerman presented the following:

WHEREAS, after review of the budget and expenditures based upon April 30, 2010 reports, some adjustment to this project are necessary; and a reconciliation of the project account requires a journal entry to reduce a Interfund transfer revenue and expense account in the amount of \$1,934,978.00; and

WHEREAS, the amount of funds in line item .52800 A/E Design Fee needs to be reduced by \$65,477.00 to \$993,073.00 to reflect awarded contract amounts; and the amount in line item .52827 Storage, Rent/Utility/Fit-up needs to be increased by \$13,000.00 to \$48,000.00 for the increased cost of storage for County records for 18 months and additional utility costs anticipated for the project; now, therefore, be it

RESOLVED, that the County Treasurer is directed to amend the 2010 County Budget as follows:

H1925-CO. BLDG. RENOVATION-ONH:

\$1,934,978.00 from .45031 Interfund Transfers

\$65,477.00 from .52800 A/E Design Fee

\$52,477.00 to .52818 Contingency

\$13,000.00 to .52827 Storage, Rent/Utility/Fit-up

H9901-INTERFUND TRANSFERS:

\$1,934,978.00 from .59100 Transfer-General Fund

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

RESOLUTION NO. 467-10: AUTHORIZE THE NAMING OF FORMER NURSING HOME STRUCTURE

Mr. Spickerman presented the following:

WHEREAS, Wayne County has undertaken the reconstruction of the former Wayne County Nursing Home structure in order to provide space for the Sheriff's Office, Probation Department, Fire Coordinator, Emergency Management Department, Emergency Medical Services Coordinator, Veterans Services Department, Board of Elections, and a Disaster Recovery Room for the Information Technology Department; and

WHEREAS, the Building Relocation Committee has considered various possible names for the building; and after deliberation, the Building Relocation Committee has recommended that the building should be called "Wayne County Safety and Public Services Building;" now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby names the building "Wayne County Safety and Public Services Building".

Mr. Plant moved, seconded by Mr. Colacino, to amend the resolution by changing the proposed name of the building to the Wayne County Public Safety Building.

Mrs. Collier addressed the Board and questioned the proposed name with concerns

for the other County Departments that will be relocating their offices there and do not pertain to Public Safety.

Mr. LeRoy stated that this is the name that was originally proposed for the building.

Upon roll call to change the proposed name of the building to Wayne County Public Safety Building. The Chairman declared the motion carried.

Mr. Lauderdale moved, seconded by Mrs. Collier to adopt the amended resolution. The Chairman declared the Resolution adopted.

AD HOC – Hotchkiss Building Committee

RESOLUTION NO. 468-10: AUTHORIZATION TO ISSUE REQUESTS FOR QUALIFICATIONS FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE HOTCHKISS BUILDING RENOVATION/RESTORATION PROJECT

Mr. Manktelow presented the following:

WHEREAS, Wayne County will undertake the renovation/restoration of the HG Hotchkiss Essential Oil Building in Lyons, NY; and

WHEREAS, the Hotchkiss Building Ad Hoc Committee believes it would be in the best interest of the County to have a Construction Management Service oversee this time sensitive project; and

WHEREAS, the best process for the selecting and hiring a construction manager/Clerk of the Works, is to engage in a qualifications based selection through a negotiated procurement process that allows initial selection to be based upon qualifications and competence in relation to the specific work to be performed; and once a consultant is selected, the scope of work is developed by the consultant and the County and fees are negotiated dependent upon the tasks included in the scope of work; now, therefore, be it

RESOLVED, that the Planning Department, on behalf of the County of Wayne, is hereby authorized to issue a Request for Qualifications which will request each respondent to define in specific terms their experience with projects of a similar nature and scope and to provide their direct hourly costs and information related to the overhead charged for each project; and be it further

RESOLVED, that the Hotchkiss Renovation/Restoration Committee shall review all responses to the Request for Qualifications and make a recommendation to the Wayne County Board of Supervisors as to the proposed selection of a construction manager.

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

RULE 15 RESOLUTIONS

RESOLUTION NO. 469-10: RESOLUTION AMENDING RESOLUTION 351-10 AUTHORIZING JOINT MUNICIPAL IMPROVEMENT PROJECT FOR THE TOWN OF ARCADIA, IN PARTNERSHIP WITH THE TOWN OF LYONS AND THE VILLAGE OF NEWARK (REFERRED BACK TO STANDING COMMITTEE)

Mr. Hammond presented the following:

WHEREAS, Resolution No. 351-10 authorized funding for the extension of the Erie Canal Trail from Route 88 in the Village of Newark to the western boundary of the Village of Lyons from the Joint Municipal Improvement Project for the Town of Arcadia, in partnership with the Town of Lyons and the Village of Newark, in the amount of one-third the total project cost or \$60,000, whichever is less; and

WHEREAS, upon further review and discussion of Resolution No. 351-10; the Finance Committee has recommended that the resolution include language defining that the payment from the Joint Municipal Improvement Fund will be made upon the successful completion of the project; now, therefore, be it

RESOLVED, that Resolution No. 351-10 is hereby amended as follows:

“RESOLVED that the Wayne County Board of Supervisors hereby authorizes funding from the Joint Municipal Improvement Project for the Town of Arcadia, in partnership with the Town of Lyons and the Village of Newark, in the amount of one-third the total project cost or \$60,000, whichever is less; and be it further

RESOLVED, that the payment from the Joint Municipal Improvement Fund will be made only upon receipt of documentation that the aforesaid Canal Trail extension is completed in accordance with the requirements of the NYSDOT Transportation Enhancements Program Grant for the trail extension.”

Mr. Spickerman moved the adoption of the resolution. Seconded by Mrs. Collier.

Mr. Colacino requested to address the Board regarding the Rule 15 Resolution proposing an amendment that defined when payment was to be made from the Joint Municipal Improvement Fund.

There were several discussions regarding when payments from this Fund had been made in the past. Further, it was not clear in the original resolution when the funds would be expended, whether before or after the project was completed.

Mr. Lauderdale moved for an amendment, seconded by Mrs. Crane that the second “WHEREAS” clause and the final “RESOLVED” clauses be amended as follows:

Second “WHEREAS” clause:

“WHEREAS, upon further review and discussion of Resolution No. 351-10; the Finance Committee has recommended that the resolution include language defining that the payment from the Joint Municipal Improvement Fund will be made upon the request of the Lead Agency – The Town of Arcadia; now, therefore, be it”

Third “RESOLVED” clause:

“RESOLVED, that the payment from the Joint Municipal Improvement Fund will be made immediately upon request of the lead agency.”

Prior to voting on the proposed amendment, there were inquiries as to the history of the County expending funds *prior* to a project’s completion.

Sharon Lilla, Director of the Wayne County Planning Department stated that the County has made “progress payments” in the past from the Joint Municipal Improvement Fund.

The Chairman called for a vote on the proposed amendment by Mr. Lauderdale.

Upon roll call, all Supervisors voted Nay, except Supervisors Colacino, Groat, Crane, Manktelow and Lauderdale who voted Aye. The Chairman declared the amendment defeated.

After the vote, Mr. Kelsch asked if the Board would support progress payments for this project. A suggestion was made to refer the resolution back to the standing committee for consideration of possible additional amendments.

Mr. LeRoy moved, seconded by Mr. Spickerman, that the proposed resolution (Res. No. 469-10) be referred back to the Standing Committee for further discussion and possible amendment. Upon roll call, carried.

RESOLUTION NO. 470-10: AUTHORIZATION TO SUBMIT APPLICATION FOR PRE-K AMERICAN RECOVERY AND REINVESTMENT ACT GRANT FUNDS

Ms. Park presented the following:

WHEREAS, funding is available for the non-Medicaid eligible Pre-K children's cost of services provided to preschoolers with a disability for the 2009-10 school year; and this funding will replace the states 59.5% reimbursement to counties; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors execute certification required with application; and be it further

RESOLVED, that the Public Health Director is hereby authorized and directed to submit the above mentioned application and certification.

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

OTHER BUSINESS

Mrs. Collier moved, seconded by Mrs. Bender that three (3) resolutions be allowed on the floor under Other Business. Upon roll call, all Supervisors voted Aye. Carried.

RESOLUTION NO. 471-10: AUTHORIZATION TO AMEND WAYNE COUNTY PUBLIC HEALTH CERTIFIED HOME HEALTH AGENCY 2010 CONTRACTS TO INCLUDE NYSDOH DISCLOSURE STATEMENT

Ms. Park presented the following:

WHEREAS, it is necessary to amend our Certified Home Health Agency (CHHA) signed contracts with providers to include the "Notwithstanding" clause as stated in Title 10 NYCRR 763.12 (8) (i, ii, iii) as hereinafter set forth:

"Notwithstanding any other provisions in this contract, the agency remains responsible for:

- (i) ensuring that any service provided pursuant to this contract complies with all pertinent provisions of Federal, State and local statutes, rules and regulations;
- (ii) planning, coordinating and ensuring the quality of all services provided; and
- (iii) ensuring adherence to the plan of care established for patients

now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to sign the following amended Certified Home Health Agency 2010 contracts to include the above mentioned "Notwithstanding" verbiage as stated in Title 10 NYCRR 763.12 (8) (I, ii, iii), subject to the approval of the County Attorney as to form and content:

Patricia Battle, OT
Cynthia Beagley, ST
Patricia Chapin, PT
Deborah Herold, PT
Lifetime Care – HHA contract

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

RESOLUTION NO. 472-10: AUTHORIZATION FOR WAYNE COUNTY TO SUBMIT IGNITION INTERLOCK PLAN IN COMPLIANCE WITH "LEANDRA'S LAW"

Mr. Plant presented the following:

WHEREAS, Wayne County is required, as an unfunded mandate, to submit a County Plan to comply with the provisions of the Child Passenger Protection Act, specifically Chapter 496 of the Laws of 2009; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to submit said plan.

Mr. Manktelow moved the adoption of the resolution. Seconded by Mr. Miller. Upon roll call, adopted.

RESOLUTION NO. 473-10: AUTHORIZATION TO CONTRACT WITH A CONSULTANT FOR THE CERTIFIED HOME HEALTH AGENCY AND TRANSFER FUNDS

Ms. Park presented the following:

WHEREAS, the Wayne County Public Health (WCPH) has need for a consultant to perform chart audits for the certified home health agency (CHHA) for all active patients; and WCPH has identified Ms. Deb Snyder, PO Box 217, Dresden, NY 14441 as an individual with extensive home care experience to perform such chart audits; and

WHEREAS, Ms. Snyder will receive \$30.00 per hour worked for a total not to exceed \$5,000 for the period June 21, 2010 to July 16, 2010; and the insurance indemnification is hereby waived for this contract; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to contract with Ms. Deb Snyder, PO Box 217, 59 Main St., Dresden, NY 14441 to perform chart audits for the certified home health agency, for the period of June 21, 2010 to July 16, 2010, at \$30.00 per hour worked, not to exceed \$5,000, subject to the approval of the County Attorney as to form and content; and be it further

RESOLVED, that the County Treasurer is hereby authorized to transfer \$5,000 from A40191.51282 to 40194.54500.

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

EXECUTIVE SESSION:

At 9:07 p.m., Mrs. Collier moved, seconded by Mr. Plant, that the Board go into Executive Session to discuss the employment history of a particular County employee. Upon roll call, carried.

REGULAR SESSION: Ms. Park moved, seconded by Mr. Colacino that the Board resume regular session at 9:46 p.m. Carried.

ADJOURNMENT:

The next scheduled meeting of the Board is Tuesday, July 20, 2010 at 9:00 a.m.

Ms. Park moved, seconded by Mr. Kelsch, that the Board adjourn at 9:48 p.m. Carried.

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

12th Day
Friday, July 9, 2010
11:00 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 Spickerman

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

APPROVAL OF MINUTES:

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

PRIVILEGE OF THE FLOOR:

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

Mr. Lauderdale moved, seconded by Mr. Spickerman to remove the resolution from the Table. Upon roll call, all supervisors voted Aye except Supervisors Crane and Lauderdale who voted Nay. Absent – Supervisors LeRoy and Park. Carried.

RESOLUTION NO. 425-10: AUTHORIZATION TO AMEND 2010 COUNTY BUDGET FOR PAYMENT OF SECRETARIAL ALLOWANCE FOR DISTRICT ATTORNEY AND PUBLIC DEFENDERS DEPARTMENTS (TABLED June 15, 2010; ADOPTED July 9, 2010)

Mrs. Collier presented the following:

WHEREAS, a recent Internal Revenue Service audit of Wayne County disclosed a few deficiencies in current procedures and policies; and one area noted was the process for paying secretarial allowance to staff of the District Attorney's and Public Defenders departments and the audit recommend that such payments shall be reported as taxable; now, therefore, be it

RESOLVED, that the County Treasurer hereby create the following line items and amend the 2010 County Budget for the proper recording of secretarial allowance paid to employees of Wayne County:

A1165-DISTRICT ATTORNEY:

\$13,500.00 to .51903 Non-Positions
\$ 1,033.00 to .58200 Payments to Social Security
\$13,500.00 from .54471 Secretarial Allowance

A1170-PUBLIC DEFENDER:

\$13,500.00 to .51903 Non-Positions
\$ 1,033.00 to .58200 Payments to Social Security
\$13,500.00 from .54471 Secretarial Allowance

A1990-CONTINGENT FUND GEN:

\$ 2,066.00 from .54000 Contractual Expense

Mr. Kelsch moved, seconded by Mr. Miller.

Clarification was requested as to whom this secretarial allowance was for and why this was necessary. County Administrator Marquette explained that the exam results from the Internal Revenue Service audit that was completed earlier this year revealed that the secretarial allowances that are paid to the Part-time Assistant Public Defenders and Assistant District Attorneys are considered taxable and need to be added to their salaries for the appropriate taxes to be calculated and deducted accordingly.

Supervisor Park arrived to the Board Meeting at 11:07 a.m.

After several discussions, Mr. Lauderdale moved, seconded by Mrs. Crane, to amend the resolution by adjusting the gross figure of the total amount to reflect a zero county cost with no transfer needed from the Contingent Fund.

Upon roll call on the proposed amendment, all Supervisors voted Nay, except Supervisors Groat, Crane, Lauderdale and Park who voted Aye. Absent - Supervisor LeRoy. The Chairman declared the proposed amendment defeated.

Mr. Kelsch moved the adoption of the original resolution. Seconded by Mr. Miller. Upon roll call, all Supervisors voted Aye except Supervisors Groat, Crane, Lauderdale and Park who voted Nay. Absent - Supervisor LeRoy. The Chairman declared the original

resolution adopted.

There was further discussion and suggestions that perhaps these department budgets should be reviewed and set up differently for 2011.

SCHEDULED BUSINESS

Public Health Director Diane Devlin updated Supervisors on the corrective action plan that was prepared in response to citations issued against the County's Certified Home Health Agency (CHHA) by the State Department of Health and the changes that have been implemented in order to meet the requirements of all issues cited. A copy of the Wayne Community Nursing Care Certified Home Health Agency Annual Program Evaluation for 2009 was made available to all supervisors for their input and was accepted by the Board of Supervisors. Mrs. Devlin said this report will be submitted on an annual basis to the Board and minutes of the Professional Advisory Committee (PAC) on a quarterly basis to her standing committee. Supervisors accepted the corrective action plan submitted by Mrs. Devlin, along with the minutes from PAC.

AD HOC COMMITTEE – Hotchkiss Building Committee

RESOLUTION NO. 474-10: AUTHORIZATION TO RATIFY ACTIONS OF PLANNING DEPARTMENT IN CONNECTION WITH REQUEST FOR QUALIFICATIONS FOR HOTCHKISS BUILDING RENOVATION/RESTORATION PROJECT AND AUTHORIZE EXECUTION OF CONTRACT WITH SARATOGA ASSOC FOR DESIGN SERVICES

Mr. Manktelow presented the following:

WHEREAS, in accordance with Federal procurement requirements and consistent with Wayne County procurement policy, the Planning Department issued a Request for Qualifications (RFQ) for design services in connection with the Hotchkiss Building Renovation/restoration project; and

WHEREAS, in response to the RFQ, the County received sixteen qualifications packages; and the Hotchkiss Building Ad Hoc Committee has reviewed all qualifications, interviewed potential design firms and recommended that Wayne County retain Saratoga Associates for design phase, bidding phase and construction phase services associated with the renovation/restoration of the Hotchkiss Building; now, therefore, be it

RESOLVED, that the actions of the Planning Department in connection with the issuance of the Request for Qualifications are hereby ratified; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement with Saratoga Associates, subject to approval by the County Attorney as to form and content, for design preparation of bid documents, bidding and construction phase services for the renovation/restoration of the Hotchkiss Building in an amount not to exceed \$147,000, inclusive of costs for reimbursable expenses associated with printing drawings, mileage; and postage and deliveries.

Mr. Spickerman moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, all Supervisors voted Aye. Absent - Supervisor LeRoy. The Chairman declared the Resolution adopted.

Mrs. Collier took this opportunity to address the Board to comment on the time and effort Mrs. Devlin put into getting the corrective action plan together regarding the County's Certified Home Health Agency (CHHA).

Mr. Plant moved, seconded by Mr. Miller to put a motion on the floor to authorize the County Administrator to prepare a resolution to direct the head of Probation to NOT send an amendment to the monitoring plan, as directed by Albany, for the ignition interlock devises. Mr. Plant explained the purpose of this motion. Leandra's Law mandates stricter

penalties for driving drunk while transporting children under the age of 16. He continued that Counties are concerned with an unfunded provision of the law that requires all drivers convicted to have ignition interlock devices installed on their cars.

Each interlock sentence involves confirmation that the device was installed and that the data from the machine of offenders be carefully monitored. A county probation officer would need to be added to the staff and this position would be held responsible to report their findings. Mr. Plant continued that the Director of Probation was instructed by Albany to prepare an amendment to show the counties intent for the implementation and monitoring of this program for Wayne County.

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

Mr. Plant moved, seconded by Mr. Hammond, for a second motion to be placed on the floor for consideration.

Motion to contact other counties to see if they will join in “a class action suit” against the State of New York for mandating Leandra’s Law without providing funding.

There were several discussions regarding this motion and all were in agreement that counties need to join together on specific issues to send messages that local governments cannot put up with these unfunded mandates imposed by Albany, directing them to do something without providing the necessary funding.

County Attorney Wyner suggested that the motion be changed from “a class action suit” to “an action suit”.

Mr. Kelsch moved, seconded by Mr. Miller to amend the motion on the Floor to read as follows:

Motion to contact other counties to see if they will join in “an action suit” against the State of New York for mandating Leandra’s Law without providing funding’.

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

ADJOURNMENT:

The Chairman announced that the next schedule meeting of the Board is Tuesday, July 20, 2010 at 9:00 a.m.

Ms. Park moved, seconded by Mr. Lauderdale, that the Board adjourn at 11:47 a.m. Carried.

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

13th Day
Tuesday, July 20, 2010
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 Spickerman, followed by Chairman Hoffman giving the invocation.

Upon roll call, all Supervisors were present. County Administrator James Marquette and Assistant County Attorney Daniel Connors were also present.

APPROVAL OF MINUTES:

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

COMMUNICATIONS:

The Clerk read the following:

A copy of Sheriff's Cash Receipts Reports for the month of June 2010 for \$14,634.14 and the first half of July 2010 for \$4,006.75.

A letter from US Customs and Border Protection of a Notice of Intent issued to prepare four programmatic Environmental Impact Statements (PEISs) for the Northern Border between the U.S. and Canada on July 6, 2010 in the Federal Register.

A copy of a certified Resolution No. 141-10 for the Seneca County Board of Supervisors opposing the delay in collection of tax on sales of Cigarettes by Indian Tribes.

Copies of certified resolutions from both the Tioga County Legislature and the Allegany County Board of Supervisors commenting on the new proposed regulations on Outdoor Wood Boilers.

A thank you note from retired Wayne County Sheriff's Deputy Bill Carr for the proclamation and good wishes he received from the Board at the June 15, 2010 Wayne County Board Meeting.

A letter from the New York State Office of Parks, Recreation and Historic Preservation, regarding the Henry Towar House located at 265 State Route 14 in Lyons. They are pleased to notify the Board that this historic property has been listed on the State and National Registers of Historic Places on October 16, 2009.

A thank you note from Commander of the James R. Hickey Post in Palmyra for attending the Flagpole Dedication ceremony at the Wayne County Fairgrounds on June 14, 2010.

A letter from Senator Michael Nozzolio, sharing the Boards formal opposition to the proposed elimination of the Empire Zone Program being negotiated by Governor Paterson and the New York City Senators and Assembly Members.

A letter from F. David Sheppard, Acting Assistant Director of the Federal Grant Program Administration regarding his regret in informing the Board that our application for funding was not considered for the Emergency Operation Center Grant Program that was made available by the US Department of Homeland Security.

A copy of the County Auditor's accounts payable report for July 2010 totaling \$6,255,580.38.

A thank you note from Jody Bender thanking the Board and staff for the birthday acknowledgement at the June Board Meeting.

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

BIDS:

- Parcels sold at public auction sale held on June 16, 2010
- Underwater Search and Rescue Support Vehicle for the Wayne County Sheriff's Office
- Roof Replacement for County Clerk/DMV Building

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

ANNUAL REPORTS:

Comprehensive Annual Financial Report and Internal Control Report for Wayne County – for Year ended Dec. 31, 2009.

Mrs. Bender moved, seconded by Mrs. Collier, that all reports be received and filed. Upon roll call, carried.

PRIVILEGE OF THE FLOOR:

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

RESOLUTION NO. 475-10: AUTHORIZATION TO EXECUTE CONTRACT WITH TOSHIBA FOR PURCHASE OF LASER PRINTER & FAX TONER CARTRIDGES

Mr. Hammond presented the following:

WHEREAS, there is a cost savings in centralizing the purchase of Laser Printer & Fax Toner Cartridges for copiers and fax machines that are used in all County Departments; and currently the Department of Information Technology purchases said supplies from PCI, Inc. with no set term of contract in place; and

WHEREAS, TOSHIBA Business Solutions has an overall reduced cost per item that will save the county significant savings; and the County is currently contracting with TOSHIBA Business Solutions for the lease and maintenance of all copiers utilized by County Departments; and

WHEREAS, the County is going to exercise the option to participate in the Broome County bid (which has three (3) one year renewal options subject to expire 8/31/2013) with Toshiba for the purchase of Laser Printer & Fax Toner Cartridges; and in the event that Broome County does not renew the current contract, Wayne County has the option to terminate said contract with TOSHIBA Business Solutions; 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 County of Wayne, subject to the County Attorney's review as to form and content, with the TOSHIBA BUSINESS SOLUTIONS.

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

RESOLUTION NO. 476-10: AUTHORIZATION TO INCREASE LICENSE COUNT OF POSS SCHEDULING SOFTWARE

Mr. Hammond presented the following:

WHEREAS, the Shift Scheduling software has been successfully implemented in the Sheriff and E911 departments; and the Nursing Home is the next area that would like to utilize the software; and the license count needs to be increased by 250; now, therefore, be it

RESOLVED, that the Director of Information Technology is hereby authorized to purchase said at a cost not to exceed \$22,000 using A16804.54475 (Software).

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

RESOLUTION NO. 477-10: TAX REFUND – ERROR ON TAX ROLL

Mr. Hammond presented the following:

WHEREAS, applications for refund of real property tax claimed to be attributable to an error on the tax roll has duly been filed with the Director of Real Property Tax Services ("Director") for the properties listed below, pursuant to the provisions of Article Five, Title 3 of the Real Property Tax Law; and the Director investigated the circumstances of the claimed errors and has submitted a report recommending the applications be approved; now, therefore, be it

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

TOWN OF ARCADIA

2010 Tax Roll
Account No. 68110-05-065822
Assessed to: Erma Mancuso
Total Tax Difference: \$125.55 Total County Tax Difference: \$84.83
Refund: \$125.55

TOWN OF WOLCOTT

2009 Tax Roll
Account No. 75119-11-669630
Assessed to: Bruce & Alice Biller
Total Tax Difference: \$521.97 Total County Tax Difference: \$353.83
Refund: \$521.97

TOWN OF WOLCOTT

2010 Tax Roll
Account No. 75119-11-669630
Assessed to: Bruce & Alice Biller
Total Tax Difference: \$531.96 Total County Tax Difference: \$363.14
Refund: \$531.96

and be it further,

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

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

RESOLUTION NO. 478-10: ACCEPTING BIDS FOR REAL PROPERTY AUCTION SALE

Mr. Hammond presented the following:

WHEREAS, pursuant to Resolution No. 321-10 certain properties acquired by the County by tax deed were sold at public auction sale held June 16, 2010; and such properties were auctioned subject to approval and acceptance of the bids by the Board of Supervisors; and

WHEREAS, the Finance Committee of the Board of Supervisors have reviewed and recommends the bids set forth below be accepted and regarding a Village of Wolcott property Tax Map # 75117-11-682573 which included a single family structure, subsequent to the auction, arsonist activity destroyed said structure beyond repair; and

WHEREAS, the Village of Wolcott has pursued the fire damage clean-up of property Tax Map #75117-11-682573; and the bidder of Tax Map # 75117-11-682573, Donald Woodard, does not wish to purchase the property as it is, and therefore, requests the Board to withdraw his bid of \$3,000 and return his deposit of \$2,100, now therefore, be it,

RESOLVED, that the Board of Supervisors have determined that it is in the best interest of the County to accept the bids listed below and such bids are hereby approved and accepted; the Chairman of the Board of Supervisors is hereby authorized and directed to execute a quit-claim deed for each parcel, subject to approval of the form of the deed by the County Attorney, and to affix the seal of the Board of Supervisors to such deeds; and the County Treasurer is hereby authorized and directed to record and deliver the respective deed upon receipt of the payments required by the terms and conditions of sale; and be it further

RESOLVED, that the Board of Supervisors have determined that it is in the best

interest of the County to allow Donald Woodard to withdraw his bid on Tax Map # 75117-11-682573 and return the \$2,100 deposit that he'd submitted.

TOWN	PROPERTY TAX#	BIDDER NAME & ADDRESS	BIDDER PRICE
ARCADIA	68110-06-350848	Robert Nolan 332 Vienna Street Palmyra, NY 14522	\$46,000
ARCADIA	68111-14-392415	Sean Lincoln 119 McDermott Street Palmyra, NY 14522	\$600
ARCADIA	68113-00-526479	Glenn Martin 2042 Daboll Road Clyde, NY 14433	\$1,000
ARCADIA	69110-00-494152	James L. Simpson P.O. Box 44 Savannah, NY 13146	\$21,000
ARCADIA	69113-00-130211	Michael Beard 307 Campbell Street Rochester, NY 14611	\$1,000
BUTLER	77114-17-186069	Gary White P.O. Box 302 North Rose, NY 14516	\$500
GALEN	72112-00-297150	Leonard Disanto 11098 Clyde-Savannah Road Clyde, NY 14433	\$175
GALEN	74112-13-183281	Jason Hoover. 248 Lasher Road Clyde, NY 14433	\$2,250
GALEN	74112-14-356361	Glenn Martin 2042 Daboll Road Clyde, NY 14433	\$3,000
GALEN	74112-14-359366	Craig Perkins 11321 Lyman Road N Rose, NY 14516	\$6,500
GALEN	74112-14-370351	Glenn Martin 2042 Daboll Road Clyde, NY 14433	\$4,000
GALEN	74112-14-413452	Glenn Martin 2042 Daboll Road Clyde, NY 14433	\$5,600

GALEN	74112-17-161090	Francis Steen 11127 Turnpike Road Clyde, NY 14433	\$27,000
GALEN	74112-18-355190	Brian Lonneville 137 Marble Road Clyde, NY 14433	\$3,250
GALEN	74112-19-670057	Leonard Disanto 11098 Clyde-Savannah Road Clyde, NY 14433	\$10,250
HURON	74117-00-854459	Milton Irizarry 6700 Briscoe Cove Road North Rose, NY 14516	\$40,000
LYONS	71111-09-006653	Smith Family Acres LLC P. Stephen Smith 533 Dublin Road Clyde, NY 14433	\$25
LYONS	70111-12-998641	Jason Hoover 248 Lasher Road Clyde, NY 14433	\$9,000
LYONS	71110-00-391229	Smith Family Acres LLC P. Stephen Smith 533 Dublin Road Clyde, NY 14433	\$11,000
LYONS	71111-09-130680	Sean Dobbins 104 William Street Lyons, NY 14489	\$4,000
MACEDON	62112-00-086345	Michael Beard 307 Campbell Street Rochester, NY14611	\$7,000
MACEDON	64112-00-029668	Mike Kruzhinskiy 1012 Plank Road Webster, NY 14580	\$700
PALMYRA	64111-00-595880	Louise Siberry Siberry Enterprise 2, LLC 375 N. Stephanie Street, Suite 1411 Henderson, NV89014-8909	\$4,000
PALMYRA	64112-00-450598	Michael Beard 307 Campbell Street Rochester, NY 14611	\$4,750
PALMYRA	66112-00-061192	Chris Bjonling 474 East Street Canandaigua, NY 14424	\$6,250

PALMYRA	66112-12-762516 & 66112-12-763513	Donald Woodard 6737 Lakeview Road Sodus, NY 14551	\$25
PALMYRA	67112-00-108713	Shirley M. Garner 211 Prospect Street Newark, NY 14513	\$60,000
ROSE	72115-00-433894	Larry Clingerman 5003 Brick Schoolhouse Road North Rose, NY 14516	\$5,000
SAVANNAH	78113-00-658952	Terry Snow 10700 Curran Road Red Creek, NY 13143	\$6,000
SODUS	67116-00-521014	Katie Ann Alexander 6128 Eddy Ridge Williamson, NY 14589	\$14,500
SODUS	69117-00-434456	Brian Johnson 415 Dunkleberger Road Mechanicsburg, PA17055	\$4,750
SODUS	69118-00-610029	Carroll Fulton 3449 Lake Breese Drive Williamson, NY 14589	\$12,000
WALWORTH	61116-00-728074	Brian Lonneville 137 Marble Road Clyde, NY 14433	\$500
WALWORTH	63115-00-636078	Robert Nolan 332 Vienna Street Palmyra, NY 14522	\$52,500
WILLIAMSON	67117-06-288959	Anne Sabocheak 5938 E. Townline Road Williamson, NY 14589	\$4,500
WOLCOTT	75117-12-957692	Louise Siberry Siberry Enterprise 2, LLC 375 N. Stephanie Street, Suite 1411 Henderson, NV89014-8909	\$1,000
WOLCOTT	75117-15-628450	Gene & Claudette Sova 6580 Briscoe Cove Road North Rose, NY 14516	\$11,250
WOLCOTT	77119-00-466395	Brian Lonneville 137 Marble Road Clyde, NY 14433	\$3,250

WOLCOTT 78121-13-195412 Vincent Reynolds \$59,000
6895 Kinne Street
E. Syracuse, NY 13057

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

RESOLUTION NO. 479-10: AUTHORIZATION TO SIGN A PAYMENT IN LIEU OF TAX AGREEMENT BETWEEN THE TOWN OF LYONS AND CANAL VIEW HOUSING DEVELOPMENT FUND CORPORATION

Mr. Hammond presented the following:

WHEREAS, it is recognized that there was a need for low-income housing to be available in Lyons; and the Town of Lyons became involved as the Lead Agency for a viable project offered to Lyons and a Payment in Lieu of Taxes Agreement (PILOT) has been drafted for execution by the affected taxing jurisdictions; and it is agreed that the \$12,000 payment will be apportioned to the affected taxing jurisdictions proportionate to the latest final tax rates applicable at the time of the required payment; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to sign the PILOT agreement as presented.

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

RESOLUTION NO. 480-10: ACCEPTING BIDS FOR CERTAIN REAL PROPERTY PARCELS

Mr. Hammond presented the following:

WHEREAS, pursuant to direction from the Finance Committee, the Real Property Tax Director offered to adjoining landowners certain remaining real property parcels that were not bid upon at the 2010 Tax Foreclosure Auction held on June 16, 2010 and the bids have been opened and reviewed by the Finance Committee with each recommending that the bids set forth below be accepted; now, therefore, be it

RESOLVED, the Board of Supervisors has determined that it is in the best interest of the County to accept bids set forth below and such bids are hereby approved; the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract of sale and a quit-claim deed for each parcel, subject to the approval of the form by the County Attorney, and to affix the seal of the Board of Supervisors to such deeds; the County Treasurer is hereby authorized and directed to record and deliver the respective deed upon receipt of the payments required by the terms and conditions of sale:

TOWN	PROPERTY ID	BIDDER	BID PRICE
Butler/Village of Wolcott	75116-07-617976	No Bids	
Lyons/Village of Lyons	71111-05-097862	No Bids	
Town of Sodus	69118-00-895084	No Bids	
Town/Wolcott/Village/Red Creek	78118-14-303371	Chris & Kristine Akins	\$50.00
Town/Wolcott/Village/Red Creek	78118-14-328474	Randy Nodine	\$1,329.95

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to return all funds deposited by those individuals who's bids were rejected.

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

RESOLUTION NO. 481-10: APPROVING APPLICATIONS FOR CORRECTED TAX ROLLS

Mr. Hammond presented the following:

WHEREAS, applications for correction of tax rolls in relation to parcels of property

identified below have been filed with the Director of Real Property Tax Services; and the Director investigated the circumstances of the claimed errors on the tax rolls and recommends that the applications be approved; now, therefore, be it

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

TOWN OF SODUS

2009 Tax Roll

Account No. 70116-00-097486

Assessed to: M.L. Odell

Total Tax Difference: \$769.00 Total County Tax Difference: \$0.00

Corrected Total Tax: \$1,011.98

and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to charge back the pertinent taxing authorities in the manner prescribed by Section 554 of the Real Property Tax Law.

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

RESOLUTION NO. 482-10: CONCUR WITH COUNTY TREASURERS RECOMMENDATION

Mr. Hammond 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 this real property be withdrawn from the foreclosure process and that the Town Assessors be directed to place this real property in the exempt portion of the tax roll.

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

Mrs. Crane called for a long roll call and questioned the County's procedure on why this is done.

Upon roll call, all Supervisors voted Aye, except Supervisors Crane, Lauderdale and LeRoy who voted Nay. The Chairman declared the Resolution adopted.

RESOLUTION NO. 483-10: RESOLUTION AMENDING RESOLUTION 351-10 AUTHORIZING JOINT MUNICIPAL IMPROVEMENT PROJECT FOR THE TOWN OF ARCADIA, IN PARTNERSHIP WITH THE TOWN OF LYONS AND THE VILLAGE OF NEWARK

Mr. Hammond presented the following:

WHEREAS, Resolution No. 351-10 authorized funding for the extension of the Erie Canal Trail from Route 88 in the Village of Newark to the western boundary of the Village of Lyons from the Joint Municipal Improvement Project for the Town of Arcadia, in partnership with the Town of Lyons and the Village of Newark, in the amount of one-third the total project cost or \$60,000, whichever is less; and

WHEREAS, upon further review and discussion of Resolution No. 351-10; the Finance Committee has recommended that the resolution include language defining that the payment from the Joint Municipal Improvement Fund will be made on a reimbursement basis and that in the event the project is not completed as defined that any amount that has been paid for the project to the Town of Arcadia will be repaid by the Town to the County; now, therefore, be it

RESOLVED, that Resolution No. 351-10 is hereby amended as follows:

"RESOLVED that the Wayne County Board of Supervisors hereby authorizes funding from the Joint Municipal Improvement Project for the Town of Arcadia, in partnership with the Town of Lyons and the Village of Newark, in the amount of one-third the total project cost or \$60,000, whichever is less; and be it further

RESOLVED that the Wayne County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to execute an agreement with the Town of Arcadia which will provide the aforementioned \$60,000 to the Town of Arcadia on a reimbursement basis as partial payments or in full after it is demonstrated that the costs were incurred by the Town and with the condition that in the event the entire project is not completed that the Town of Arcadia will repay the County of Wayne the portion of the funds that have been paid by the County to the Town."

Mrs. Bender moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, all Supervisors voted Aye, except Supervisor Park who voted Nay. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 484-10: AMEND PUBLIC SAFETY BUILDING PROJECT (H1925)
PER CHANGE ORDER NUMBERS APPROVED ON JULY 6, 2010**

Mr. Hammond presented the following:

WHEREAS, the Building Renovation Committee (BRC) has the authority to approve changes orders up to \$10,000.00 for the Public Safety Building Project; and the BRC met on July 6, 2010 to review the status of the project and reviewed and approved various change orders within the components of the project; and

WHEREAS, the following change orders were reviewed and approved for the General Contractor component: GC-50 increase \$3,945.00 to lower installed windows in Operations Room 2011; GC-56 increase \$821.00 for Area "B" between column line 12A and 14A, adjacent column line W, to remove floor tile and mudset down to structural slab and provide infill with design mix; GC-60 increase \$1,403.00 for providing fire rated (60 min.) wood doors with a 4 x 25 narrow light for doors S-1003A and S-1004A; GC-61 increase \$1,287.00 for removal and replacement door frame for door S-1004B with a 60 minute rated hollow metal frame; GC-64 increase \$3,783.00 for field glaze in lieu of factory glaze all toilet room windows and install plywood temporarily in windows to secure the building until glass is received; for a net increase to the General Contractor component of \$11,239.00; and

WHEREAS, the following change orders were reviewed and approved for the Plumbing and Fire Protection component: PC-06 increase \$836.00 for re-routing the fire protection line to the penthouse, as a result of unforeseen steel in adjacent wall; PC-07 increase \$4,965.00 for additional manpower to maintain schedule and avoid delays with other contractors for a net increase to the Plumbing and Fire Protection component of \$5,801.00; and

WHEREAS, the above approved change orders require amendments to the H1925 CO. BLDG. RENOVATION-ONH budget; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to amend Project H1925 CO. BLDG. RENOVATION-ONH as follows:

H1925-CO.BLDG. RENOVATION-ONH:

\$11,239.00 to .52813 General Trades
\$ 5,801.00 to .52816 Plumbing & Fire Protection
\$17,040.00 from .52818 Contingency

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

**RESOLUTION NO. 485-10: RESOLUTION AUTHORIZING COUNTY PURCHASING
AGENT TO OBTAIN CREDIT CARDS FROM BANK OR FINANCIAL INSTITUTION AND
ESTABLISHING A CREDIT CARD POLICY**

Mr. Hammond presented the following:

WHEREAS, the Wayne County Board of Supervisors recognizes that there are instances where it is often difficult, impractical, time consuming and more costly to process small dollar purchases through conventional procurement means of preparing purchase orders and processing invoices; and credit cards are often required when making travel arrangements and reserving hotel rooms and in securing cheaper rates for hotels and air fares via telephone or the internet; and

WHEREAS, credit cards can yield cost avoidance and streamline the purchases as, often the expense of processing small dollar purchases can run as high as the purchase itself; and the Wayne County Board of Supervisors recognizes that any authorization for the use of credit cards must be accompanied by a comprehensive use policy to provide adequate controls and to prevent misuse of credit cards and hereby determines that it is in the best interest of Wayne County to authorize the limited use of credit cards from banks or credit card issuers and establish this Credit Card Policy; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby establishes the Wayne County Credit Card Policy under the following terms and conditions:

1. The Wayne County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to enter into contracts with banking institutions or credit card companies for the issuance of no fee credit cards to be held in the name of County of Wayne for use by designated persons as herein set forth for the purchase of lower cost purchase items, making previously authorized travel/training arrangements and for small maintenance, repair and operating expenses.
2. The County Purchasing Agent shall have control of any and all credit cards; cards shall not be issued to individual employees.
3. The Purchasing Agent shall personally authorize the use of the credit cards and shall keep a detailed log of any use of the credit cards which is to be reconciled with the corresponding credit card statement upon its receipt by the county.
4. The following authorized credit card purchases may be made when it is in the county's best interests to do so and after being pre-audited by the County Auditor:
 - Office supplies and forms
 - Books and subscriptions
 - Computer supplies
 - Hardware and tools
 - Replacement parts
 - Maintenance, repair and operating expenses
 - Material expenses
 - Travel, training and conference registrations, and lodging reservation expenses that have been authorized by the County Administrator, or in the case of out-of-state travel by the County Administrator, Standing Committee, and Chairman of the Board of Supervisors. Subject to provisions of the Wayne County's travel policy.
 - Registration for on-line Training Sessions and Webinars
 - Any other expenses less than \$1,500 authorized in writing by the County Administrator and Purchasing Agent of the County of Wayne.
5. The following are unauthorized credit card purchases:
 - Any single transaction exceeding \$1,500.00 in value not specifically authorized in writing by the County Administrator, Purchasing Agent, and County Auditor or by the Board of Supervisors.
 - Purchase of items for personal use or, in the case of approved lodging, costs incurred for incidental expenses that would not otherwise be eligible for reimbursement to an employee.
 - Credit cards are not to be used for any product, service or with any merchant considered to be inappropriate for County funds
6. All credit cards will be kept under the direct supervision of the Purchasing Agent of

Wayne County.

7. In using a credit card, the Purchasing Agent shall retain all receipts for the items purchased and immediately upon purchase, provide the same to County Auditor. The Purchasing Agent shall ensure that all transactions are legitimate purchases made on behalf of the County of Wayne.
8. Departments incurring expenses through use of a credit card shall be responsible for submitting to the County Auditor claims and adequate supporting documentation for which the expenses were incurred in accordance with County Policy. The Purchasing Agent shall be the control point and facilitator for charges; however, departments requesting the use of a card are responsible for demonstrating that adequate funds are available in their respective budget, adequately documenting the requested purchases/charges in advance and following all county procurement policies and procedures as if the purchase were to be made by requisition.
9. Any illegal or unauthorized expense or improper use of a credit card shall subject the employee to disciplinary action.
10. Except as herein provided, purchases, payments, travel and other actual and necessary expenses for which a credit card is used shall be incurred in accordance with, and shall be subject to, all laws, rules, policies, and regulations applicable to charges incurred by the County of Wayne, its officers and employees.
11. Employees using County credit cards shall sufficiently document the purchases with supporting receipts and a detailed composition of all charges, noting the official or employee who has initiated said charges.
12. Any lost or stolen credit cards shall be reported immediately to the Wayne County Administrator, County Auditor, and in the case of theft to the Sheriff.
13. For any orders placed by phone, fax, mail or E-mail, a receipt must be requested detailing the merchandise purchased, price, freight, shipping etc. and must be included with the goods mailed or shipped.
14. Notwithstanding any of the above, County credit cards can be used for any other transaction without monetary limit provided, and on condition, that the purchase is duly authorized in advance by Resolution of the Wayne County Board of Supervisors.
15. All purchases made under this policy shall comply with Wayne County Purchasing Policies and the provisions of General Municipal Law §103 and all other competitive bidding laws of the State of New York.

and be it further

RESOLVED, that the Chairman of the Board of Supervisors, County Administrator and Purchasing Agent be, and hereby are authorized and directed to take such incidental actions as may be necessary to carry out the terms of this Resolution including the execution of any agreements with a bank or credit card issuer that may be necessary provided the same are in a form approved by the County Attorney; and be it further

RESOLVED, that the Purchasing Agent and County Auditor, upon verification that the charges contained on a credit card statement are true and correct, shall cause the bill to be paid in a timely manner so as to not incur additional fees or interest charges.

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

RESOLUTION NO. 486-10: AUTHORIZE SIGNING OF GRANT APPLICATION AND ACCEPTANCE OF FUNDS UPON APPLICATION APPROVAL FOR EXXONMOBIL FOUNDATION STAR GRANT

Mr. Plant presented the following:

WHEREAS, the ExxonMobil foundation offers STAR grants in the amount of \$500 for 40 hours of volunteer work to agencies where ExxonMobil retirees or their family members volunteer and the volunteer who serves in the Victim/Witness Services office of the Wayne County District Attorney is the spouse of a Mobil retiree and

WHEREAS, the volunteer has fulfilled the minimum number of volunteer service hours

required during the months of January through March of 2010 and the volunteer has requested that the grant be provided to the Victim/Witness services office for volunteer work performed and the county is required to provide at least a 20% local match for money received by the Victim Witness Services office from the NYS Crime Victims Board in the amount of \$11.26; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to sign the Grant Application for the ExxonMobil Foundations STAR grant on behalf of the County of Wayne, Victim/Witness Services and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors accept the funds upon application approval.

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

RESOLUTION NO. 487-10: AUTHORIZE EXECUTION OF CONTRACT FOR CRIME VICTIMS BOARD/NYS OFFICE OF VICTIM SERVICES

Mr. Plant presented the following:

WHEREAS, the State of New York has approved a three year VOCA grant application for Wayne County; and the State of New York requires an annual application for the continuation of funding for the Wayne County Crime Victim/Witness Services Program and the amount awarded for 2010 - 2011 is in the amount of \$47,220; and the grant requires a minimum 20% local match; and

WHEREAS the amount of the local match necessary to meet the minimum expenses for the program is equal to \$14,104; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a Continued Funding Application on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the New York State Crime Victims Board for the continuation of Wayne County's Crime Victim/Witness Services program; and be it further

RESOLVED that the application is in the amount of \$61,324.00 of which \$47,220 is reimbursed for the period October 1, 2010 to September 30, 2011.

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

RESOLUTION NO. 488-10: AUTHORIZATION FOR THE DISTRICT ATTORNEY TO AMEND 2010 COUNTY BUDGET

Mr. Plant presented the following:

WHEREAS, the District Attorney has paid for appellate services for an unanticipated amount of appellate brief preparation in excess of the budgeted amount; and the District Attorney needs extra funds to pay anticipated appellate services for briefs for the remainder of 2010; now, therefore, be it

RESOLVED, that the County Treasurer is directed to amend the 2010 District Attorney County Budget as follows:

A1165 – District Attorney:

\$2,000.00 from .4220 Light and Power

\$2,000.00 from .54500 Fees for Services-Non Employees

\$4,000.00 to .54513 Appellate Services

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

RESOLUTION NO. 489-10: AUTHORIZATION TO PURCHASE RADIO PROGRAMMING SOFTWARE

Mr. Plant presented the following:

WHEREAS, the purchase of Motorola XTL1500 mobile radios, Motorola XTS1500

portable radios, and Motorola Minitor V pagers has been previously authorized in association with the Radio Interoperability Project and programming for all the aforementioned radio equipment was not purchased with the units, as the County will assume responsibility for such radio equipment programming; and DC power supplies will be needed to power the radios for programming and burn-in operational testing during the programming process; now, therefore, be it

RESOLVED, that the 911 Coordinator shall be authorized to purchase one complete set of Motorola radio and pager programming software and cables from Finger Lakes Communications, with costs and detail as follows:

XTL and XTS software	\$412.50	
XTL Pro Cable	50.00	
XTS Cable	261.00	
Minitor V Programming Kit		224.00
Minitor V Programming Software	75.00	

and be it further

RESOLVED, that the 911 Coordinator shall be authorized to purchase four ICT 1220 DC power supplies at a cost of \$162.00 each, for a total cost not to exceed \$1,670.50.

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

RESOLUTION NO. 490-10: AUTHORIZATION TO AMEND THE 2010 COUNTY BUDGET AND PURCHASE A COMPUTER FOR 911

Mr. Plant presented the following:

WHEREAS, one of the Dell personal computers purchased in 2005, and utilized as a CAD (Computer Aided Dispatch) workstation is in need of replacement, as multiple repairs have been made to the unit recently, including hard drive replacement, with the unit still experiencing problems; and a quote was obtained through the IT Department for replacement of said computer with a Hewlett Packard computer, to be purchased off New York State contract; now, therefore, be it

RESOLVED, that the IT Department shall be authorized to purchase one HP computer for the E911 Department, in association with HP quote number 5245360, utilizing the current New York State purchasing contract for Hewlett Packard equipment, at a cost not to exceed \$680.00; and be it further

RESOLVED, that the County treasurer is hereby directed to make the following line item transfer within the 2010 County budget, to facilitate the above detailed purchase:

A3642 E911 Communications

\$680.00 FROM .54230 Telephone

\$680.00 TO .52201 Computer Equipment

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

RESOLUTION NO. 491-10: AUTHORIZATION TO MODIFY BUDGET AND EXPEND GRANT FUNDS FOR THE WAYNE COUNTY EMERGENCY MANAGEMENT OFFICE

Mr. Plant presented the following:

WHEREAS, the Wayne County Emergency Management Office has received a FY09 State Homeland Security Grant in the amount of \$146,614 with no local grant required and a portion of said grant application included the purchase and equipping of a vehicle for the purpose of radiological monitoring, enhanced communications capabilities, towing Emergency Management trailers; and the Department is desirous of replacing the current vehicle, a 1999 with 100,000 miles at no cost to the county; now, therefore, be it

RESOLVED, that the County Treasurer amend the 2010 County Budget as follows:

A3640-EMERGENCY MANAGEMENT

\$36,333.00 to .44306 Homeland Security Grant

\$36,333.00 to .52300 Motor Vehicle

and be it further

RESOLVED, that the Director of Emergency Management is authorized to purchase one (1) 2010 Chevrolet Tahoe under NYS Contract 21910-PF for a cost not to exceed \$36,333.00; and be it further

RESOLVED, that when the new vehicle is received, the Director is hereby authorized and directed to surplus the 1999 Ford Taurus (VIN 1FAPP52U9XG270760) being replaced and vehicle is to be sold in the next municipal auction; not to be reassigned to another County Department; and be it further

RESOLVED, that this new vehicle will not be replaced with County Funds when surplus in the future.

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

RESOLUTION NO. 492-10: AUTHORIZATION TO PARTICIPATE IN 2010 COMPANION ANIMAL SHELTERING EQUIPMENT (CASE) GRANT PROGRAM

Mr. Plant presented the following:

WHEREAS, there is up to \$60,000 available with no local match required in the FY2010 State Homeland Security Program (SHSP) for Regional CASE grant applications to develop regional equipment caches to support the capability to provide temporary emergency sheltering for pets and companion animals during emergencies and disasters; and the New York State Pet Evacuation and Transportation Standards Acts of 2006 amended Article 2B of the New York State Executive Law to include the utilization and coordination of programs to assist individuals with household pets and service animals following a disaster, with particular attention to means of evacuation, shelter and transportation options; and

WHEREAS, the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196b) as amended by the Pets Evacuation and Transportation Standards Act of 2006, requires that State and local emergency plans take into account the needs of individuals with household pets and service animals before, during, and after an emergency; and the Wayne County Emergency Management Office, Cayuga County Emergency Management Office, and Seneca County Emergency Management Office are desirous to comply with the requirements of the aforementioned acts at minimal local taxpayer cost; now, therefore, be it

RESOLVED to authorize the Director of Emergency Management to apply for said grant.

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

RESOLUTION NO. 493-10: AUTHORIZATION TO EXPEND FUNDS FOR COMMUNICATIONS EQUIPMENT FOR WAYNE COUNTY EMERGENCY MANAGEMENT

Mr. Plant presented the following:

WHEREAS, there is a need for reliable radio communications at locations typically not served by radio communications (hospital, congregate care centers, et al) during a disaster or other emergency; and the Radio Amateur Civil Emergency Service (RACES) and the Military Auxiliary Radio System (MARS) have a long history of providing auxiliary communications for military, federal, civil, and/or disaster officials during periods of emergency; and

WHEREAS, Wayne County Emergency Management is desirous of establishing emergency communications at these locations and others during times of radiological emergencies or other disasters; and this proposal will provide for the purchase of three base station radios and eight mobile radio stations with associated antennas and other required accessories that will be housed at the Wayne County Emergency Operations Center until needed; and

WHEREAS, there is adequate funding in A36402.5200 to support this purchase; and the expenditure of these funds is in accordance with NYS Executive Law Article 2-B § 29-c. Radiological Preparedness that requires Nuclear License Fee funds be used specifically for Radiological Emergency Preparedness; now, therefore, be it

RESOLVED, that the Director of Emergency Management is authorized to purchase the necessary equipment to establish and maintain said emergency communications.

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

RESOLUTION NO. 494-10: AUTHORIZATION TO CREATE POSITION AND APPOINT VOLUNTEER TRAINING SUPPORT OFFICER FOR FIRE TRAINING FACILITY

Mr. Plant presented the following:

WHEREAS, the Wayne County Fire Coordinator oversees the Fire Training Facility; and the Fire Training Facility must be prepared with aids and props fabricated to simulate actual fire conditions for realistic and effective training and this preparation has been accomplished by volunteers, and the County wishes to formalize and authorize this continued support and activity; now, therefore, be it

RESOLVED, that one (1) position of volunteer (unpaid) Training Support Officer is hereby created effective July 20, 2010, under the direction of the Fire Coordinator; and be it further

RESOLVED, that Harry Aunkst is hereby named to the volunteer position of Training Support Officer.

Mr. Colacino 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. 495-10: AUTHORIZATION TO ENTER INTO A LEASE AGREEMENT WITH TOSHIBA FOR A COLOR COPIER FOR THE WAYNE COUNTY SHERIFF'S OFFICE

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office currently has a lease agreement with Xerox for a color copier (budget account number A3150-54408); and the monthly charge for said copier is \$705.38, plus \$.0084 per black and white image and \$.089 per color image, with an average monthly use of 1775 black and white images and 220 color images; and

WHEREAS, said lease agreement with Xerox is due to expire July 31, 2010; and the Sheriff's Office has the continued need for a color copier to expeditiously print and duplicate high quality color crime scene photos; accident investigation photos; fire investigation photos; missing person and wanted posters; aerial maps; other evidentiary images and documents needing to be in color; and the duplication of images in color to assist other county and public service agencies; and

WHEREAS, Wayne County currently has lease agreements with Toshiba for black and white copiers; and the Sheriff is requesting to enter into a 41 month lease agreement with Toshiba starting August 1, 2010, for a Toshiba *e-studio 3530c* color copier/printer/scanner/fax machine for a monthly charge of \$288.00 a month, plus \$.011 per black and white image and \$.0585 per color image and said lease agreement covers all service calls; preventative maintenance calls; all labor; travel; parts; and supplies, excluding staples and paper; now, therefore, be it

RESOLVED, that the Wayne County Sheriff is hereby authorized to enter into a 41 month lease agreement with Toshiba for a color copier, not to exceed \$288.00 per month, plus the cost of the black and white and color images, subject to review and approval of the County Attorney.

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

RESOLUTION NO. 496-10: AUTHORIZATION TO AWARD BID FOR ONE UNDERWATER SEARCH AND RESCUE SUPPORT VEHICLE FOR SHERIFF'S OFFICE

Mr. Plant presented the following:

WHEREAS, the Clerk of the Board of Supervisors duly advertised for bids for one (1) Underwater Search and Rescue Support Vehicle for the Wayne County Sheriff's Department; and the following bid was received:

SIRCHIE Vehicle Division 612 Gravelly Hollow Road MEDFORD, NJ 08055	\$155,288.00	
Optional Exterior Storage Compartment – Street Side Mount		\$1,069.00

RESOLVED, that the bid submitted by SIRCHIE Vehicle Division for \$156,357.00 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 SIRCHIE Vehicle Division at a cost not to exceed \$156,357.00.

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

RESOLUTION NO. 497-10: AUTHORIZATION TO ACCEPT BID FOR WAYNE COUNTY CLERK/DMV OFFICE BUILDING ROOF REPLACEMENT

Mr. LeRoy presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for the replacement of the roof on the Clerk/DMV Building, and the bids were publicly opened on Monday, May 24, 2010, at 1:30 pm, and the following bids were received:

Bidder	Bid Amount	Unit Cost for Zurn Drain Replacement
Leo J. Roth Corp 841 Holt Road Webster, NY 14580	\$166,120.00	\$ 900.00
A.W. Farrell & Son, Inc 3761 East Lake Road Dunkirk, NY 14048	\$229,200.00	\$ 2,000.00
Elmer W. Davis 1217 Clifford Avenue Rochester, NY 14621 And	\$224,377.00	\$ 1,500.00

WHEREAS, the low bidder Leo J. Roth has requested that their bid be withdrawn from consideration because of a mathematical error in the preparation of said bid; and the Wayne County Attorney has reviewed said request from Leo J. Roth Corporation to withdraw their bid and documentation submitted in support of that request and recommends that the Board of Supervisors allow said bid to be withdrawn and the bid deposit returned to Leo J. Roth Corporation, and the remaining bids have been reviewed by the Buildings and Grounds Superintendent and the Wayne County Attorney; now, therefore, be it

RESOLVED, that the bid of Leo J. Roth Corporation is withdrawn as per their request because of a mathematical error; and be it further

RESOLVED, the Clerk of the Board is hereby directed to return the bid deposit of Leo J. Roth Corporation; and be it further

RESOLVED, that the Board of Supervisors hereby accepts the Bid submitted by Elmer W. Davis, for the Roof Replacement for the Wayne County Clerk/DMV Office Building located at 9 Pearl St., at a cost of \$224,377.00, and be it further

RESOLVED, that the County Treasurer is hereby directed to amend the 2010 County Budget as follows:

A1615-BUILDINGS AND GROUNDS:

\$224,377.00 to .54000 Contractual Expense

A1990-CONTINGENT FUND GEN:

\$224,377.00 from .54000 Contractual Expense

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

RESOLUTION NO. 498-10: AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT WITH TRAILWORKS, INC.

Mr. LeRoy presented the following:

WHEREAS, Trailworks, Inc. wishes to assist in the ongoing maintenance of various Trails owned by Wayne County; and the County Attorney and the Superintendent of Buildings and Grounds have prepared a proposed license agreement with specific tasks that may be performed by Trailworks, Inc. and Trailworks, Inc. does not have liability insurance; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into a license agreement with Trailworks, Inc. subject to the approval of the Wayne County Attorney for an initial one (1) year period commencing August 1, 2010 through July 31, 2011 with the option to extend said license agreement for successive one (1) year periods; and be it further

RESOLVED, that the County insurance and indemnification requirements regarding said license agreement are hereby waived.

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

RESOLUTION NO. 499-10: AUTHORIZATION TO ISSUE REQUEST FOR PROPOSALS TO SELECT ENERGY SERVICE COMPANY (ESCO)

Mr. LeRoy presented the following:

WHEREAS, the County Government owns and occupies numerous structures of varying vintages; and some of these structures are in need of improved and upgraded Heating, Ventilation, and Air Conditioning Systems, windows and doors, and lighting systems; and all of these structures can be made more energy efficient and through Energy Performance Contracting the County can seek to make the necessary energy efficiency improvements and pay for those improvements with guaranteed energy savings; and

WHEREAS, the New York State Energy Law provides for the ability for the county to solicit proposals from qualified Energy Service Companies to identify needed improvements, design the improvements, and coordinate the installation of those improvements in order to make facilities more energy efficient and in turn apply the energy cost savings from those improvements to pay for the cost of the improvements over a specified period of time; now, therefore, be it

RESOLVED, that the County Administrator and the Superintendent of Buildings and Grounds are authorized to issue a Request for Proposals through the Clerk of the Board of Supervisors to qualified Energy Services Companies to provide Wayne County with proposals to develop and implement Energy Conservation Measures on a Performance Contracting Basis at specified county-owned facilities; and be it further

RESOLVED that the Request for Proposals shall include notification to the proposers that the townships within Wayne County may also participate in the program on an individual township option basis after a qualified ESCO is selected by the county.

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

RESOLUTION NO. 500-10: AUTHORIZATION TO APPROVE 2010 HIGHWAY CONSTRUCTION AND SUPPLEMENTAL PROJECT STATEMENTS AND APPROPRIATE FUNDS

Mr. LeRoy presented the following:

WHEREAS, the New York State Department of Transportation has approved and allocated additional CHIPS Funds for the 2010-2011 Fiscal Year; and the original CHIPS Funds allocated by the state was increased to \$632,261.12 for the Fiscal Year 2010-2011 Fiscal Year; and

WHEREAS, the county originally budgeted for \$1,700,000; and in accordance with Section 115 of the Highway Law, the Superintendent of Highways has prepared project statements for the proposed work for the following projects:

10-34	Miscellaneous Nova Chip Paving Project	\$450,000
10-31	Miscellaneous Drainage Culvert Project	\$100,000
10-28	Ridge Road Shoulder Project	\$ 80,000
10-29	Hot In-Place Recycle Project	\$130,000
and supplemental project statement of proposed work for the following projects:		
09-18	Miscellaneous Guard Rail Project	\$ 24,255
10-36	Smith Road Culvert Project	\$ 35,000
10-46	Miscellaneous Bridge Maintenance & Repair Project	\$ 80,170

now, therefore, be it

RESOLVED, that the Project Statements prepared by the Superintendent of Highways are hereby approved by the Board of Supervisors, and the Chairman of the Board and the Clerk of the Board are hereby authorized and directed to endorse such approval on the Project Statements; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to create line items and transfer funds as listed below:

D99990 – OTHER:

\$899,425 to .43501 Consolidated Highway Aid

D5112 ROAD CONSTRUCTION:

\$ 450,000.00	to .52634	Miscellaneous Nova Chip Paving Project
\$ 100,000.00	to .52631	Miscellaneous Drainage Culvert Project
\$ 80,000.00	to .52628	Ridge Road Shoulder Project
\$ 130,000.00	to .52629	Hot In-Place Project
\$ 24,255.00	to .52618	Miscellaneous Guard Rail Project
\$ 35,000.00	to .52636	Smith Road Culvert Project
\$ 80,170.00	to .52946	Miscellaneous Bridge Maintenance & Repair Project

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

RESOLUTION NO. 501-10: AUTHORIZATION TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH BARTON AND LOGUIDICE FOR THE LEROY ISLAND BRIDGE PROJECT

Mr. LeRoy presented the following:

WHEREAS, as a result of the construction of the temporary detour for the Leroy Island Bridge, sediment was displaced from the bottom of the bay and has created a small raised island limiting flow and access to several adjacent properties; and this sediment island was identified at the completion of the project and it was anticipated that it would naturally dissipate over time due to wave action and ice movement; and

WHEREAS, this sediment island has not dissipated so several discussions have occurred with the NYSDEC, Town Supervisor, local residents and the Highway Superintendent to formulate a plan for remediation; and the NYSDEC will require a permit

application with documentation before a permit will be issued to complete the work; and

WHEREAS, since Barton and Loguidice has much of the information required, is intimately familiar with the project, and has experience with preparing NYSDEC permit applications, they have provided a proposal of \$4000 to prepare a permit application and obtain the permit to remediate the sediment; and since the work is directly related to the Bridge project, the expenses incurred are eligible for reimbursement and sufficient funds remain in the current project budget; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a supplemental agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Barton and Loguidice for the not-to-exceed cost of \$4000 associated with the Dredging permit for the Leroy Island bridge project.

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

RESOLUTION NO. 502-10: AUTHORIZATION TO SIGN AN AGREEMENT WITH MASTERMIND SYSTEMS FOR CONSULTANT SERVICES FOR THE COUNTY SAFE PASSING ZONE STUDY

Mr. LeRoy presented the following:

WHEREAS, the Wayne County Highway Department solicited for proposals for the Wayne County Safe Passing Zone Study as authorized in resolution 204-10, and three proposals were received from FRA Engineers, MasterMind Systems and GMB Engineers and Planners, and

WHEREAS, these proposals were reviewed and rated and the most qualified consultant was determined to be MasterMind Systems from Elmore Ohio, and MasterMinds proposed fee to complete the work is \$36,946 which is within the \$37,500 budget allocated for this project (D51122.52627); therefore, now, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with MasterMind Systems for the not-to-exceed cost of \$36,946 associated with the consulting services in the Wayne County Safe Passing Zone Study.

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

RESOLUTION NO. 503-10: AUTHORIZATION TO ADVERTISE FOR PROPOSALS FOR ENGINEERING SERVICES FOR THE NOBLE ROAD AND THE YELLOW MILLS ROAD BRIDGE PROJECTS

Mr. LeRoy presented the following:

WHEREAS, the Noble Road Bridge over Black Creek project in Galen and the Yellow Mills Road Bridge over Ganargua Creek project in Macedon are both listed on the Genesee Transportation Councils Transportation Improvement Program (TIP) for funding beginning in October 2010; the NYSDOT has authorized the County to begin the Consultant Selection process in accordance with the guidelines described in the Locally Administered Federal Aid Project manual and the funds to pay for the engineering services will be 80% federal and 20% local; now, therefore, be it

RESOLVED, that the Highway Superintendent is hereby authorized and directed to request proposals for engineering services for the Noble Road and Yellow Mills Bridge projects.

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

RESOLUTION NO. 504-10: AUTHORIZATION TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH HUNT ENGINEERS FOR THE CHRISTIAN HOLLER ROAD

BRIDGE PROJECT

Mr. LeRoy presented the following:

WHEREAS, a full time inspector is required to document all quantities installed and to assure all work is in accordance to the design documents; and the duration of construction required a full time construction inspector to spend an additional 120 hours (3 weeks) performing on-site and in-plant inspections for the concrete beam fabrication and Hunt Engineers has provided backup documenting the actual hours and expenses expended; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a supplemental agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Hunt Engineers for the costs associated with the Construction Inspection Services; and be it further

RESOLVED, that the Treasurer is to pay the additional not-to-exceed cost of \$7100 associated with the Construction Inspection in accordance with Resolution No. 203-09.

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

RESOLUTION NO. 505-10: AUTHORIZING GROUND LEASE WITH THE TOWN OF ARCADIA FOR THE SITE OF THE MATERIALS RECOVERY CENTER, THE CURBSIDE COLLECTION FLEET AND THE YARD WASTE COMPOSTING PROGRAM AND AUTHORIZING ASSIGNMENT OF LEASE TO THE WESTERN FINGER LAKES SOLID WASTE MANAGEMENT AUTHORITY

Mr. Spickerman presented the following:

WHEREAS, the Board of Supervisors desires to have the Western Finger Lakes Solid Waste Management Authority ("Authority") to continue to operate the recycling and related programs in Wayne County; and the program is the operation by the Authority of a curbside recycling collection program; a Materials Recovery Facility ("MRF") for the purpose of processing the recyclable materials collected under the program and a yard waste composting program; and

WHEREAS, the Town of Arcadia has agreed to lease a portion of the Arcadia Landfill property to the County to be used as the site for these activities, and has agreed that the County may assign the lease to the Authority; and the Authority previously furnished to the Board of Supervisors a "Phase I" Environmental Audit Report and Certification, in form and substance at the request of the Authority, which revealed no evidence that any pollutant or other toxic or hazardous substance, as defined under the Comprehensive Environmental Response, Compensation and Liability Act, or any other applicable federal, state or local law, is known to be present on the proposed site; and

WHEREAS, the County Planning Director has presented to the Board of Supervisors (1) a proposed Ground Lease for the site, to be executed by the County and the Town and (2) a proposed Assignment of Lease to be executed by the County, the Town, and the Authority; now, therefore, be it

RESOLVED, that the Ground Lease and the Assignment of Lease presented by the Planning Director are hereby approved, and the Chairman of the Board of Supervisors is hereby authorized and directed to execute the Ground Lease and the Assignment of Lease as presented, subject to such technical corrections and changes as may be deemed necessary or desirable by the County Attorney.

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

RESOLUTION NO. 506-10: AMEND RESOLUTION NO. 565-04 TO AUTHORIZE JOINT MUNICIPAL IMPROVEMENT PROJECT FOR THE TOWN OF SAVANNAH

Mr. Spickerman presented the following:

WHEREAS, pursuant to Resolution No. 232(73), as amended by Resolution No.

263(73) and Resolution No. 291(73), the Board of Supervisors has established a Joint Municipal Improvement Project Fund which provides County funding for a portion of the cost of approved Town or Village improvement projects for development of public facilities related to retail business activity; and

WHEREAS, Resolution No. 565-04 authorized funding for the Town of Savannah in an amount of one third the project cost or \$15,000, whichever is less, for a downtown improvement program replacing curbs and sidewalks in the Hamlet's central business district; and the Town of Savannah has decided to install streetlights and to defer curbs and sidewalks to a later date; now, therefore, be it

RESOLVED, that Resolution No. 565-04 is amended by deleting curbs and sidewalks and replacing them with the installation of new streetlights in the Hamlet of Savannah's central business district.

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

RESOLUTION NO. 507-10: ACCEPT NYS DEPARTMENT OF STATE LOCAL WATERFRONT REVITALIZATION GRANT AND AUTHORIZE ADMINISTRATIVE AGREEMENT WITH THE WESTERN ERIE CANAL ALLIANCE

Mr. Spickerman presented the following:

WHEREAS, Resolution 428-08 authorized Wayne County to serve as the sponsor for a grant application to the NYS Environmental Protection Fund Local Waterfront Revitalization Program (LWRP) to continue the Western Erie Canal Main Street Program begun by the Western Erie Canal Alliance (WECA); and

WHEREAS, Resolution 428-08 also authorized the preparation of the application by the Genesee Finger Lakes Regional Planning Council (GFLRPC) and upon award of funding, the administration of the grant program by the same; and Wayne County was awarded a \$240,000 grant from the LWRP program, with the required 50 percent matching funds to be acquired from the inaugural National Trust for Historic Preservation's Main Street Center ("NTMSC") Local Main Street programs, which are located in the Village of Lockport in Niagara County, the Village of Albion in Orleans County and the Village of Lyons in Wayne County; and

WHEREAS, the Genesee Finger Lakes Regional Planning Council proposed a part-time Main Street Coordinator to administer this program, which would have resulted in the revocation of the license issued by the NTMSC Four Points Program to these communities because they required a full time coordinator and Resolution 908-09 instructed the Western Erie Canal Alliance ("WECA") to submit a proposal for inclusion in the administrative structure of this program to preserve the license from the NTMSC, which has been done; and the Genesee Finger Lakes Regional Planning Council will no longer administer the LWRP grant, but rather will provide services to WECA in connection with the preparation of a Historic Preservation Guidebook for participating Main Street communities; and

WHEREAS, the NYS Department of State concurs with the new role for the Genesee Finger Lakes Regional Planning Council in connection with the LWRP grant; now, therefore, be it

RESOLVED, that Wayne County accepts the \$240,000 grant awarded by the NYS Department of State from its Local Waterfront Revitalization Program; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute an agreement with the Western Erie Canal Alliance for administration of the LWRP grant awarded to Wayne County, at no cost to the County, subject to approval as to form and content by the County Attorney; and be it further

RESOLVED, that the staff of the Wayne County Planning Department is authorized to provide technical assistance to WECA in the administration of this grant program.

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

RESOLUTION NO. 508-10: AUTHORIZATION TO ACCEPT PROPOSAL AND EXECUTE CONTRACT WITH LINSTAR FOR PLASTIC PERMIT IDENTIFICATION CARDS

Mrs. Collier presented the following:

WHEREAS, The Office of the County Clerk has requested a proposals to purchase a new Plastic permit ID card system in the Office of the County Clerk; and a detailed review of all response submitted was then conducted; now, therefore, be it,

RESOLVED, that the proposal of Identocard, a Plastic permit ID card system at a cost of \$17,815.04 is hereby accepted and 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; and be it further

RESOLVED, that the Department of Information Technology is hereby authorized to expend up to \$600.00 for the purchase of hardware to support said proposal out of the County Clerks budget; and be it further

RESOLVED, that the County Treasurer is hereby directed to amend the 2010 County Budget as follows:

A1410-COUNTY CLERK:

\$ 6,890.00 to .44255 County Clerk Fees

\$14,626.67 to .52500 Other Equipment

\$ 1,665.65 to .51450 Office Supplies

\$ 2,122.72 to .54424 Equipment-Maint Contract

A1990-CONTINGENT FUND GEN:

\$11,525.04 from .54000 Contractual Expense

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

RESOLUTION NO. 509-10: AUTHORIZATION TO PARTICIPATE IN A COOPERATIVE BID COORDINATED BY BOCES OF ONTARIO, SENECA, WAYNE AND YATES COUNTIES FOR VARIOUS COMMODITIES AND/OR SERVICES

Mrs. Collier presented the following:

WHEREAS, the County of Wayne ("County") desires to participate in a Cooperative Bidding Program conducted by the Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties ("BOCES") from year to year or, until this Resolution is rescinded, for the purchase of various commodities and/or services; and

WHEREAS, the County is desirous of participating with BOCES in the joint bid of the commodities and/or services on file with the Clerk of the Board as authorized by General Municipal Law, Section 119-o; and the County has appointed BOCES as representative to assume the responsibility for drafting specifications, advertising for bids, accepting and opening bids, tabulating bids, reporting the results to the County and making recommendations thereon; now, therefore, be it

RESOLVED, that the County hereby accepts the appointment of BOCES to represent it in all matters related above; and be it further

RESOLVED, that the County hereby authorizes the above-mentioned BOCES to represent it in all matters regarding the entering into contract(s) for the purchase of the commodities and/or services and the County agrees to assume its equitable share of the costs incurred as a result of the cooperative bidding; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with BOCES for participation in cooperative bidding conducted by BOCES for various commodities and services and if requested to furnish BOCES with an estimated minimum number of units that will be purchased by BOCES; and be it further

RESOLVED, that the Board of Supervisors hereby authorizes BOCES to award cooperative bids to the bidder deemed to be the lowest responsive and responsible

meeting the bids specification and otherwise complying with Article 5-A of the General Municipal Law of the State of New York relating to public bids and contracts; and be it further

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to send a copy of this resolution to the Clerks of the legislative bodies of Seneca, Ontario and Yates Counties and John Baker, Regional Support Center, Eisenhower Building, 131 Drumlin Court, Newark, New York, 14513-1863.

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

RESOLUTION NO. 510-10: AUTHORIZE CONTRACT WITH KIRTAS TECHNOLOGIES, INC. FOR SCANNING AND ARCHIVING SERVICES FOR THE COUNTY HISTORIAN

Mrs. Collier presented the following:

WHEREAS, the County Historian has applied for and received approval for a \$2,000.00 Hoffman Foundation Grant to continue the scanning and archiving of County historical Hoffman Essays; and Kirtas Technologies, Inc. has provided a written quote for these scanning and archiving services; now, therefore, be it

RESOLVED, that the Chairman of the Board is hereby authorized to sign the contract, based upon the review and approval of the County Attorney and the contract will not exceed the grant/budget line amount of \$2,013 (budget line A75104 54484).

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

RESOLUTION NO. 511-10: AUTHORIZATION TO ESTABLISH ONE POSITION OF VOTING MACHINE TECHNICIAN AND TWO POSITIONS OF ELECTIONS TRAINING COORDINATOR IN THE BOARD OF ELECTIONS

Mrs. Collier presented the following:

WHEREAS, the Board of Elections has a need for individuals to provide services relating to Election Inspector training, Primary Elections and Election Day, but not at other times of the year; and IRS regulations allow for such individuals who receive less than \$600 per year to be paid by voucher (1099) rather than through the payroll system; and

WHEREAS, IRS regulations require that such individuals who earn more than \$600 per year be paid through the payroll system with such payment subject to withholding; the Director of Human Resources and the Election's Commissioners have determined that three (3) individuals previously paid by voucher must now be paid as employees; and

WHEREAS these new positions will be placed in the unclassified service (Appendix D) pursuant to the Rules for the Classified Service of Wayne County, and paid at hourly rates equal to the rates previously paid by voucher as follows; now, therefore, be it

RESOLVED that the one (1) position of Voting Machine Technician (\$15.00 per hour) and two (2) positions of Elections Training Coordinator (\$12.50 per hour), are established effective July 20, 2010; and be it further

RESOLVED that the County Treasurer is hereby authorized to amend the 2010 County Budget to affect this change, as follows:

A1450 – Board of Elections

\$2,880 to 51665 Voting Machine Technician

\$3,750 to 51578 Election Training Coordinator

\$508.00 from 58200 Payment to Social Security

\$7,138 from 54421 Elections Expense

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

Mr. Lauderdale asked County Administrator Marquette to explain to the Board why these contracted positions needed to be changed to budgeted positions. Mr. Marquette commented that as a result of the Internal Revenue Services Exam completed earlier this spring, the county is in the process of making changes to comply with the regulations

pertaining to contracted individuals in this department and others. He added that more changes within other county positions will be for certain later this year.

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

RESOLUTION NO. 512-10: RESOLUTION AMENDING RESOLUTION NO. 272-08: "AUTHORIZATION TO AMEND COUNTY POLICY - DELEGATING AUTHORITY TO COUNTY ADMINISTRATOR TO AUTHORIZE ATTENDANCE AT CONFERENCES, CONVENTIONS, SCHOOLS, SEMINARS AND WORKSHOPS HELD WITHIN THE STATE OF NEW YORK" TO INCLUDE PROVISION FOR PAYMENTS IN ADVANCE OF SCHEDULED EVENT

Mrs. Collier presented the following:

WHEREAS, Wayne County's policy currently is interpreted that the county only provides reimbursement of expenses to employees who attend authorized conferences, conventions, schools, seminars, and workshops on a reimbursement basis only and that the county cannot make payments prior to the scheduled travel, training, or conference; and

WHEREAS, this aspect of the policy impacts certain employees to the extent that they are paying the front end costs of these authorized County expenses and are required to wait for reimbursement until after the scheduled event; and it is desirable to change this policy to allow for flexibility and to continue to protect the interest of the County Government; and

WHEREAS, in some instances advance payments for registrations, lodging, and common carrier travel can reduce the cost or provide for early registration or payment discounts; and the policy currently is:

"Pursuant to Article 5 Section 77-b(2) of the General Municipal Law and Section 450(3) of the County Law the Board of Supervisors hereby delegates to the County Administrator the power to authorize County officers and employees to attend conferences, conventions, schools, seminars and workshops conducted for the betterment of county government, subject to the following provisions:

- 1.) the request is within the limits of the departmental appropriations for such purposes per the review of the County Budget Officer; and
- 2.) the request is for travel within the State of New York

All requests for travel that are in excess of the departmental appropriations for such purposes shall require the approval of the Board of Supervisors; and all requests for out-of-state travel shall be reviewed by the County Administrator and referred to the department's Standing Committee and the Chairman of the Board of Supervisors.

The Board of Supervisors hereby delegates to the department's Standing Committee, and the Chairman of the Board of Supervisors the power to jointly authorize County officers and employees to attend conferences, conventions, schools, seminars, and workshops conducted outside the state of New York within the limits of the departmental appropriations for such purposes per the review of the County Budget Officer and after the review and recommendation of the County Administrator.

All actual and necessary expenses incurred for registration fees, travel, meals, and lodging in connection with such attendance shall be a County charge, provided, however, that said charges are supported by original receipts (except mileage) and do not exceed the approved amounts.

This resolution supersedes Resolutions No. 233-95, No. 357-82, No. 154-78, No. 152-89 and No. 12-91"; now, therefore, be it

RESOLVED, that the policy be amended to read:

"Pursuant to Article 5 Section 77-b(2) of the General Municipal Law and Section 450(3) of the County Law the Board of Supervisors hereby delegates to the County Administrator the power to authorize County officers and employees to attend conferences, conventions, schools, seminars and workshops conducted for the betterment of county government,

subject to the following provisions:

- 3.) the request is within the limits of the departmental appropriations for such purposes per the review of the County Budget Officer; and
- 4.) the request is for travel within the State of New York

All requests for travel that are in excess of the departmental appropriations for such purposes shall require the approval of the Board of Supervisors; and all requests for out-of-state travel shall be reviewed by the County Administrator and referred to the department's Standing Committee and the Chairman of the Board of Supervisors.

The Board of Supervisors hereby delegates to the department's Standing Committee, and the Chairman of the Board of Supervisors the power to jointly authorize County officers and employees to attend conferences, conventions, schools, seminars, and workshops conducted outside the state of New York within the limits of the departmental appropriations for such purposes per the review of the County Budget Officer and after the review and recommendation of the County Administrator.

All actual and necessary expenses incurred for registration fees, travel, meals, and lodging in connection with such attendance shall be a County charge, provided, however, that said charges are supported by original receipts (except mileage) and do not exceed the approved amounts.

To the extent necessary and within the guidelines of this and other county policies and procedures, approved registration fees, common carrier travel, and lodging costs supported by evidence of the cost to be incurred may be paid in advance by the county directly to those entities requiring payment OR if an employee has incurred the expense and provided said costs are supported by receipts they may be reimbursed to an employee in advance of the scheduled event. Under no circumstance may mileage payments or other expenses (i.e. meals) be advanced to an employee by the county.

Department Heads and other county employees within the respective departments for whom advance payments were made are responsible for ensuring that any cost or fee incurred in advance of attendance are properly refunded and credited to the county in the event of cancellation of attendance at an approved conference, convention, school, seminar or workshop.

This resolution supersedes Resolutions No. 233-95, No. 357-82, No. 154-78, No. 152-89 and No. 12-91."

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

RESOLUTION NO. 513-10: ESTABLISHING STANDARD WORK DAY AND REPORTING RESOLUTION FOR ELECTED AND APPOINTED OFFICIALS TO COMPLY WITH CHANGES TO NYS RETIREMENT LAW

Mrs. Collier presented the following:

WHEREAS, New York State has issued new regulations concerning the establishment of a standard work day for elected and appointed officials who begin new terms of office on or after August 12, 2009; and the Board reaffirms resolution 452-08/17/93 establishing a standard work day of six (6) hours for the Wayne County Board of Supervisors and for part-time appointed officials who are not subject to collective bargaining agreements and the following officials have been elected or appointed after August 12, 2009 and therefore are subject to the new regulations; now, therefore, be it

RESOLVED that the County of Wayne hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Elected Officials	Name	Standard Work-day (hrs/day)	Term begins/Ends	Employer Record of Time worked (y/n)	Days/ Month
Supervisor	Laurie Crane	6	1/1/2010-12/31/2011	N	8.50
Supervisor	Brian Manktelow	6	1/1/2010-12/31/2011	N	5.33
Supervisor	William Hammond	6	1/1/2010-12/31/2011	N	3.88
Supervisor	Jolene Bender	6	1/1/2010-12/31/2011	N	10.90
Supervisor	Robert Kelsch	6	1/1/2010-12/31/2011	N	4.45
Supervisor	Kenneth Miller	6	1/1/2010-12/31/2011	N	7.16
Supervisor	Steven Leroy	6	1/1/2010-12/31/2011	N	6.52
Supervisor	Robert Plant	6	1/1/2010-12/31/2013	N	7.26
Supervisor	Kim Park	6	1/1/2010-12/31/2011	N	5.3
Supervisor	Lucinda Collier	6	1/1/2010-12/31/2011	N	8.07
Sheriff	Barry Virts	8	1/1/2010-12/31/2013	Y	N/A
County Clerk	Michael Jankowski	7	1/1/2010-12/31/2013	Y	N/A
Appointed Officials					
Clerk of Board	Sandra Sloane	7	1/1/2010-1/1/2011	Y	N/A
Dept Clerk Board	Debbie Liseno	7	1/1/2010-1/1/2011	Y	N/A
County Admin.	James Marquette	7	1/1/2010-12/31/2011	Y	N/A
County Attorney	Daniel Wyner	7	1/1/2010-12/31/2011	Y	N/A
Asst County Attorney	Daniel Connors	7	1/1/2010-12/31/2011	Y	N/A
Asst Public Defender	James Kernan	7	1/1/2010-12/31/2010	Y	N/A
Asst Public Defender	Andrew Correia	7	1/1/2010-12/31/2010	Y	N/A
Asst Public Defender	Gregory Power	7	1/1/2010-12/31/2010	Y	N/A
Asst Public Defender	Robert Zimmerman	7	1/1/2010-12/31/2010	Y	N/A
Asst Public Defender	John Grow	7	1/1/2010-12/31/2010	Y	N/A
Asst Public Defender	Mark Krause	7	1/1/2010-12/31/2010	Y	N/A

County Auditor	Linda Harissis	7	1/1/2010-12/31/2011	Y	N/A
Commission of DSS	M. Josh McCrossen	7	2/15/2010-2/14/2015	Y	N/A

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

RESOLUTION NO. 514-10: AUTHORIZATION FOR MENTAL HEALTH DEPARTMENT TO CONTRACT WITH WORLD WIDE DICTATION, AND AMEND THE 2010 BUDGET

Ms. Park presented the following:

WHEREAS, the Mental Health Department in the course of its regular daily business produces a variety of confidential medical records, which in some cases include reports that are dictated by professional staff and then transcribed; and our dictation volume related to this process has dramatically grown in recent months and has exceeded our current resource capacity to produce the transcribed reports in a satisfactorily timely manner; and

WHEREAS, contracting with this service will be the most cost effective strategy to address the increase in work volume along with a 24 hour turn-a-round time; now, therefore, be it

RESOLVED, that the Mental Health Department and Chairman of the Board is authorized to establish a contract with World Wide Dictation at a rate of .07 cents per line; and be it further

RESOLVED that the County Treasurer is hereby directed to amend the 2010 Budget as follows:

A4300-BEHAVIORAL HEALTH:

\$20,000 from .52300.M5120 Motor Vehicles

\$20,000 to .54185.M8200 Transcripts

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

RESOLUTION NO. 515-10: AUTHORIZATION TO SOLICIT REQUESTS FOR PROPOSALS FOR PHARMACY SERVICES FOR NURSING HOME

Ms. Park presented the following:

WHEREAS, the contract between Health Direct for Pharmacy Services and the Wayne County Nursing Home will expire on December 31, 2010; and the Wayne County Nursing Home is desirous of soliciting requests proposals for the provision of pharmacy services from January 1, 2011 to December 31, 2015; now, therefore, be it

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

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

RESOLUTION NO. 516-10: AUTHORIZING THE FILING OF A CERTIFICATE OF NEED (CON) FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the Wayne County Nursing Home has had minimal utilization of the two respite beds since instituting the service in 2005; and it has been determined that it would be financially advantageous to change the two beds from respite to regular long term care beds and it has been determined by the NYS Department of Health that a full Certificate of Need (CON) application must be filed to make a change that increases the nursing home bed complement; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors authorize the filing of the Certificate of Need with the NYS Department of Health for the purpose of changing the bed complement from 190 beds and 2 respite to 192 beds and 0 respite and the Chairman of the Board of Supervisors is authorized to sign on behalf of the Board; and be it further

RESOLVED, that the Nursing Home Administrator be authorized to prepare and file the Certificate of Need application with the NYS Department of Health along with any fees associated with said filing.

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

RESOLUTION NO. 517-10: AUTHORIZATION TO EXECUTE AGREEMENT WITH NAZARETH COLLEGE FOR NURSING EDUCATIONAL PROGRAM

Ms. Park presented the following:

WHEREAS, Nazareth College, Department of Nursing has an established educational program in nursing, and the college desires to affiliate for the purpose of obtaining adequate clinical experience for said educational program in nursing and the Agency believes the value of the presence of such students will add to its operation; now, therefore, be it

RESOLVED, the Director of Public Health is hereby authorized and directed to execute an agreement with Nazareth College for the purpose of providing clinical experience for students in their nursing program during school year - July 1, 2010 through June 30, 2011.

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

RESOLUTION NO. 518-10: AUTHORIZATION TO EXECUTE AGREEMENT WITH ST. JOHN FISHER COLLEGE-WEGMAN'S SCHOOL OF NURSING FOR NURSING EDUCATIONAL PROGRAM

Ms. Park presented the following:

WHEREAS, St. John Fisher College, Wegman's School of Nursing, has an established educational program in nursing; and the college desires to affiliate for the purpose of obtaining adequate clinical experience for said educational program in nursing and the Agency believes the value of the presence of such students will add to its operation; now, therefore, be it

RESOLVED, the Director of Public Health is hereby authorized and directed to execute an agreement with St. John Fisher College – Wegman's School of Nursing for the purpose of providing clinical experience for students in their nursing program for the period June 1, 2010 through May 31, 2015.

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

RESOLUTION NO. 519-10: AUTHORIZATION TO CREATE A TEMPORARY CLERK-TYPIST POSITION FOR EARLY INTERVENTION PROGRAM AND TRANSFER FUNDS

Ms. Park presented the following:

WHEREAS, the Early Intervention Program has received federal stimulus (ARRA) funding to be used to support the EI administration and stimulate the economy through Sept. 30, 2011; and

WHEREAS, the state has approved the request to hire a temporary full-time clerical position for additional clerical services to support the staff during conversion to NYEIS billing/records system transition and records management; and the state requires the position be procured competitively and this department has informed the state the civil service list would be used to procure the position; now, therefore, be it

RESOLVED, that the one temporary full-time clerk-typist position not to exceed 868 hours (124 days) during the period Oct. 1, 2010 – Sept. 30, 2011 is hereby created, at a

cost not to exceed \$21,842; and be it further

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to transfer funds in the 2010 County Budget as follows:

A4016-EARLY INTERVENTION 0-1:

\$11,339.00 from .54451 EI Stimulus
\$ 6,287.00 to .51104 Clerk-Typist
\$ 748.00 to .58100 Payment to NYS Retirement
\$ 481.00 to .58200 Payments to Social Security
\$ 3,751.00 to .58400 Hospitalization
\$ 72.00 to .58600 Disability

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

RESOLUTION NO. 520-10: BID AWARDS FOR TRANSPORTATION OF PRESCHOOL-AGE CHILDREN WITH PHYSICALLY HANDICAPPING CONDITIONS

Ms. Park presented the following:

WHEREAS, pursuant to the requirements of Section 4410 of the Education Law and Title II-A of the Public Health Law, the County has duly received bids for transportation of preschool-age children with handicapping conditions during the period September 1, 2010 - August 31, 2011, as shown on the bid tabulation on file with the Clerk of the Board of Supervisors; now, therefore, be it

RESOLVED, that the bids listed below are hereby accepted and the Chairman of the Board of Supervisors is hereby authorized and directed to execute the required contracts, subject to the County Attorney's approval as to form and content, with the respective bidders:

Bidder: Arcadia Transportation Co., Inc., P.O. Box 432, Newark, NY 14513

Route No. and Location

1a	Mary Cariola Children's Center (Wayne/Gananda)	\$225.00 a.m., \$225.00 p.m.
1b	Mary Cariola Children's Center (Palmyra-Macedon)	\$225.00 a.m., \$225.00 p.m.
1c	Mary Cariola Children's Center (full day) (Wayne/Gananda/Palmyra-Macedon)	\$225.00
2a	Monroe BOCES #1 (Wayne/Gananda/Penfield/Webster) Roch. Elem. only	\$225.00 a.m., \$225.00 p.m.
2b	Monroe BOCES #1 (Palmyra-Macedon) Roch. Elem.	\$225.00 a.m. \$225.00 p.m.
2c	Monroe BOCES #1 (Wayne/Gananda/Penfield/Webster) BOCES Campus only	\$225.00 a.m. \$225.00 p.m.
2d	Monroe BOCES #1 (Palmyra-Macedon) BOCES Campus only	\$225.00 a.m., \$225.00 p.m.
2e	Monroe BOCES #1 ((Williamson/Marion) All Locations	\$225.00 a.m., \$225.00 p.m.
2f	Monroe BOCES #1 (Palmyra-Macedon/Wayne Central/Gananda/Webster/Penfield) E. Irondequoit only -	\$225.00 a.m., \$225.00 p.m.
3a	United Cerebral Palsy (Wayne/Gananda/Williamson)	\$225.00 a.m., \$225.00 p.m.
3b	United Cerebral Palsy (Palmyra-Macedon)	\$225.00 a.m., \$225.00 p.m.
4a	E. John Gavras Center (Red Creek to Auburn)	\$225.00 a.m., \$225.00 p.m.
4b	E. John Gavras Center (Red Creek/N. Rose-Wolcott to Red Creek)	\$225.00 a.m., \$225.00 p.m.
5a	Rochester Hearing & Speech Center (Wayne/Gananda)	\$225.00 a.m., \$225.00 p.m.
5b	Rochester Hearing & Speech Center (Palmyra-Mac)	\$225.00 a.m., \$225.00 p.m.
6a	Oswego BOCES (Red Creek/N. Rose-Wolcott)	\$ 2.00
6b	Oswego BOCES (mid-day Red Creek/N. Rose-Wolcott)	\$250.00
7a	Finger Lakes United Cerebral Palsy (Newark/Lyons) Geneva -	\$225.00 a.m., \$225.00 p.m.
7b	FL United Cerebral Palsy (Palmyra-Mac) Geneva	\$225.00 a.m., \$225.00 p.m.
7c	FL United Cerebral Palsy (Clyde-Savannah) Geneva	\$225.00 a.m., \$225.00 p.m.

7d	Finger Lakes United Cerebral Palsy (Marion) Geneva	\$225.00 a.m., \$225.00 p.m.
7e	FL United Cerebral Palsy (Clyde-Savannah) Waterloo	\$225.00 a.m., \$225.00 p.m.
7f	FL United Cerebral Palsy (Palmyra-Mac) Canandaigua	\$225.00 a.m., \$225.00 p.m.
7g	FL United Cerebral Palsy (Newark) Canandaigua	\$225.00 a.m., \$225.00 p.m.
7h	FL United Cerebral Palsy (Wayne) Canandaigua	\$225.00 a.m., \$225.00 p.m.
7i	FL United Cerebral Palsy (Marion) Canandaigua	\$225.00 a.m., \$225.00 p.m.
8a	Headstart Program (Red Creek to Huron)	\$268.00
9a	Communication Center for Hearing & Speech (Wayne/Gananda/Penfield/Webster/Palmyra-Macedon/Newark)	\$200.00
10a	Stepping Stones Learning Center (Pal-Mac/Penfield/Gananda)	\$225.00 a.m., \$225.00 p.m.
10b	Stepping Stones Learning Center (Marion/Wmsn/Wayne&Webster)	\$225.00 a.m., \$225.00 p.m.
10c	Stepping Stones Learning Center-Lyons/Newark/Sodus	\$225.00 a.m., \$225.00 p.m.
10d	Stepping Stones Learning Center (Red Ck/NRose-Wol/Clyde-Sav)	\$225.00 a.m., \$225.00 p.m.
11a	Roosevelt Children's Center (Penfield)	\$225.00 a.m., \$225.00 p.m.
11b	Roosevelt Children's Center (full day Penfield)	\$225.00.
12a	Roosevelt VCS	\$225.00 a.m., \$225.00 p.m.
12b	Roosevelt VCS	

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

RESOLUTION NO. 521-10: AUTHORIZATION TO CONTRACT FAMILY AND COMMUNITIES TOGETHER SERVICES WITH WAYNE COUNTY SCHOOL SYSTEMS

Mrs. Crane presented the following:

WHEREAS, Families and Communities Together (FACT) is an interagency initiative designed to assist families of children who are having difficulty in their home, school, or community due to emotional and/or behavioral challenges. FACT serves children in grades K through 12 in seven school districts throughout Wayne County. The primary goal of FACT is to prevent out of home placements; and

WHEREAS, Seven Wayne County Superintendents have requested to enter a contractual agreement with the Department of Aging and Youth for the provision of FACT services in their schools districts; and the Department of Aging and Youth agrees to provide FACT services to a minimum number children requested per school district at a sum of \$500.00 per child; now, therefore, be it

RESOLVED, the Department of Aging and Youth requests authorization to contract, upon the review and approval of the County Attorney, with the schools listed below in the specified amount. The contract year will run from July 1, 2010 through June 30 2011:

<u>School</u>	<u>Youth Served</u>	<u>Total Cost</u>
Sodus	30	\$15,000
NR/Wolcott	16	\$ 8,000
Lyons	10	\$ 5,000
Clyde	4	\$ 2,000
Palmyra	8	\$ 4,000
Marion	3	\$ 1,500
Newark	15	\$ 7,500
Total	86	\$43,000

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

RESOLUTION NO. 522-10: AUTHORIZATION FOR A BUDGET MODIFICATION TO THE

AGING BUDGET

Mrs. Crane presented the following:

WHEREAS, the Department of Aging and Youth's Services Assistant who acts as the Health Insurance Information, Counseling, and Assistance Program (HIICAP) Coordinator has submitted her request for retirement effective July 23, 2010 and this employee provides neutral, unbiased information about Medicare, supplemental insurance, HMOs, Medicaid, Medicare buy-in programs, EPIC, and long term care insurance; and assists clients with billing questions, filing claims, comparing policy coverage, and understanding and enrolling in Medicare Part D plans; and

WHEREAS, since 2004, the number of seniors utilizing this program has more than tripled and employees have delivered seven times the number of telephone and face-to-face contacts with Wayne County seniors who need assistance in understanding health insurance options and plans and in 2009, the Department, fully staffed, had to turn clients away the last month of the open enrollment period because requests for assistance far exceeded our employees' ability to provide such assistance; and

WHEREAS, in addition, with the onset of the changes initiated by the Affordable Care Act and the entrance of baby boomers into the Medicare population, the trend for increased demand for these services is only going to continue and the current HIICAP Coordinator is retiring with 10 weeks of accrued leave that would make the effective fill date September 30, 2010; and

WHEREAS, the open Enrollment for the Medicare Part D begins in October and ends December 31 and the Department is requesting to fill the Service Assistant position at the first opportunity after the current Services Assistant retires (7/23/10) in order to provide the extensive training required of the position prior to the open enrollment period; and

WHEREAS, the Department has had a vacant PT Senior Caseworker position since May 28, 2010 and will continue not to fill this position in order to cover all of the outstanding costs of the Services Assistant's accrued leave; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to make the following modifications to the following accounts in order to cover the accrued leave in the amount of \$7,585. at no additional county cost.

A67721-Area Agency on Aging:

\$7,585.00 from .51362 Senior Caseworker

\$7,585.00 to .51576 Service Assistant

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

RESOLUTION NO. 523-10: AUTHORIZATION TO CREATE TWO NEW POSITIONS IN DEPARTMENT OF SOCIAL SERVICES

Mrs. Crane presented the following:

WHEREAS, there has been a greater than 25% increase in Child Protective Services (CPS) reports between 2006 and 2010 while the caseworker staff has remained steady at 11 workers and the New York State Office of Children and Family Services is strongly recommending that CPS workers carry no more than 12 cases as an active caseload and high profile cases have occurred recently in other New York counties and local Departments of Social Services (DSS) were criticized for insufficient staffing patterns; now, therefore, be it

RESOLVED, that two new caseworker positions be created to meet the increased caseload demands.

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

RESOLUTION NO. 524-10: AUTHORIZATION TO AMEND 2010 COUNTY BUDGET FOR THE CONSOLIDATION OF WORKFORCE DEVELOPMENT CONTRACT WITH WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES TO ADMINISTER AN INTENSIVE

EMPLOYMENT AND A WORKSHOP PROGRAM

Mrs. Crane presented the following:

WHEREAS, the Workforce Development Department has contracted with the Department of Social Services to administer a 3 day Workshop program and an Intensive Employment Program for the past several years and with the shrinking resources provided by various federal and state funding sources for these vital programs it has been determined that consolidation of the programs will provide the greatest flexibility in reaching the goals of both programs; and

WHEREAS, Resolution No. 490-10 authorized the contracting for these programs and the funding now needs to be put in place to operate said programs; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to amend the 2010 county budget as follows:

A6212-WFD-INTENSIVE EMPLOYMENT:

\$41,027.00 to .42766 DSS Reimbursement
\$14,071.00 to .51088 E & T Director II
\$ 8,356.00 to .51123 Account Clerk-Typist
\$ 6,825.00 to .51252 Employment & Training Counselors
\$ 4,254.00 from .51256 Emp & Trng Coordinator
\$ 825.00 to .54150 Office Supplies
\$ 860.00 from .54166 Postage
\$ 1,403.00 to .54199 Miscellaneous
\$ 164.00 to .54210 Gas
\$ 358.00 to .54200 Lights & Power
\$ 250.00 to .54230 Telephone
\$ 45.00 to .54240 Water
\$ 153.00 from .54300 Insurance
\$ 2,535.00 to .54407 Building Maintenance & Repair
\$ 1,200.00 to .54408 Copier Expense
\$ 1,318.00 to .54410 Conference
\$ 1,075.00 from .54414 Information Technology
\$ 2,145.00 to .54437 Lease
\$ 250.00 from .54456 Printing
\$ 298.00 from .54485 Travel
\$ 4,608.00 from .58100 Payments to NYS Retirement
\$ 1,027.00 to .58200 Payments to Social Security
\$11,869.00 to .58400 Hospitalization
\$ 128.00 to .58600 Disability
\$ 6.00 to .58901 Employee Assistance Program

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

RESOLUTION NO. 525-10: AUTHORIZATION TO AMEND 2010 COUNTY BUDGET FOR THE CONSOLIDATION OF WORKFORCE DEVELOPMENT CONTRACT WITH WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES TO ADMINISTER A WAGE SUBSIDY AND AN ORIENTATION/ASSESSMENT PROGRAM

Mrs. Crane presented the following:

WHEREAS, the Workforce Development Department has contracted with the Department of Social Services to administer a Wage Subsidy program and an Orientation/Assessment Program for the past several years and with the shrinking resources provided by various federal and state funding sources for these vital programs it has been determined that consolidation of the programs will provide the greatest flexibility in reaching the goals of both programs; and

WHEREAS, Resolution No. 490-10 authorized the contracting for these programs and the funding now needs to be put in place to operate said programs; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to amend the 2010 county budget as follows:

A6217-WFD-DSS WAGE SUBSIDY:

\$61,895.00 to .42766 DSS Reimbursement
\$12,206.00 to .51088 E & T Director II
\$ 5,985.00 to .51123 Account Clerk-Typist
\$33,602.00 to .51252 Employment & Training Counselors
\$ 9,423.00 to .51256 Emp & Trng Coordinator
\$ 1,000.00 to .51300 Sr. Emp & Trng Counselor
\$39,817.00 from .54000 Contractual
\$ 248.00 to .54150 Office Supplies
\$ 200.00 to .54166 Postage
\$ 238.00 from .54199 Miscellaneous
\$ 122.00 to .54210 Gas
\$ 328.00 to .54200 Lights & Power
\$ 120.00 from .54230 Telephone
\$ 59.00 to .54240 Water
\$ 39.00 from .54300 Insurance
\$ 798.00 to .54407 Building Maintenance & Repair
\$ 150.00 from .54408 Copier Expense
\$ 1,500.00 to .54410 Conference
\$ 1,140.00 from .54414 Information Technology
\$ 1,518.00 to .54437 Lease
\$ 100.00 to .54456 Printing
\$ 92.00 from .54485 Travel
\$ 9,276.00 to .58100 Payments to NYS Retirement
\$ 8,769.00 to .58200 Payments to Social Security
\$18,191.00 to .58400 Hospitalization
\$ 166.00 to .58600 Disability

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

RESOLUTION NO. 526-10: REQUESTING AUTHORIZATION FOR EXTENSION OF "PROJECT VETERAN RETURNS" GRANT FOR WORKFORCE DEVELOPMENT DEPT AND AUTHORIZE CHAIRMAN OF BOARD TO EXECUTE REQUIRED DOCUMENTS

Mrs. Crane presented the following:

WHEREAS, Resolution No. 515-09 authorized the county to accept a grant entitled "Project Veterans Return" and resolution No. 239-10 authorized an extension from March 31, 2010 to June 30, 2010 and this grant is scheduled to end June 30, 2010 and the Workforce Development Director has been informed that the County can apply for an extension through September 30, 2010; and

WHEREAS, sufficient grant funding is available to continue this service through September 30, 2010 without any contribution of funds by Wayne County; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby approves the extension of the "Project Veterans Return" Grant through September, 2010 and authorizes the Chairman of the Board of Supervisors to execute any documents required to affect such an extension, subject to the review and approval of the Wayne County Attorney.

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

RESOLUTION NO. 527-10: AUTHORIZATION TO CONTRACT FOR A COPIER MACHINE FOR THE WAYNE COUNTY WORKFORCE DEVELOPMENT OFFICE

Mrs. Crane presented the following:

WHEREAS, the Workforce Development Department has contracted with the Department of Social Services to provide intensive services and do not have a copier and current copiers belong to the Department of Labor and are failing to provide for the needs of the additional services that are being undertaken by the Workforce Development contract with the Department of Social Services and Resolution No. 490-10 authorized the contracting for these programs and the funding is available to provide for this contract; now, therefore, be it

RESOLVED, that the County Board of Supervisors approve the contracting of a Copier for the Wayne County Workforce Development Office.

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

AD-HOC – Building Relocation Committee

RESOLUTION NO. 528-10: AUTHORIZATION TO INCREASE MONITORING SERVICES AND AMEND H1925 CO. BLDG. RENOVATION PROJECT

Mr. Spickerman presented the following:

WHEREAS, Public Safety Building project Change Order numbers GC-11 and GC-12, were approved on June 15, 2010 for additional asbestos removals and these abatements will require additional monitoring services to be provided and it is estimated these services may cost up to \$20,000 additional; now, therefore, be it

RESOLVED, that Lozier Environmental be approved to provide additional monitoring services associated with Change Orders GC-11 and GC-12 and the contract with Lozier Environmental be increased by \$20,000 to provide these services; and be it further

RESOLVED, that the County Treasurer is hereby authorized amend H1925 for 2010 as follows:

H1925-CO. BLDG. RENOVATIONS-ONH:

\$16,000 to .52810 Asbestos Monitoring

\$16,000 from .52818 Contingency

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

Mr. Plant requested that the Rule 15 Resolution regarding the County Interlock Plan be taken out of order and presented after the items scheduled under Other Business.

OTHER BUSINESS

Mr. Kelsch moved, seconded by Ms. Park that three (3) resolutions be allowed on the floor under other business. Motion carried.

RESOLUTION NO. 529-10: AUTHORIZATION TO CREATE A TEMPORARY RECEPTIONIST POSITION FOR WAYNE COUNTY PUBLIC HEALTH

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) has a need for temporary receptionist help from July 22, 2010 till September 3, 2010 due to staff being on Family Medical Leave and WCPH has been unable to identify an employee who can perform receptionist tasks on a full time basis for this time frame and there are sufficient funds in the Public Health budget for this temporary position without additional funding; now, therefore, be it

RESOLVED, the Board of Supervisors hereby authorizes the creation of a temporary receptionist position for Wayne County Public Health from July 22, 2010 until September 3, 2010 at a cost not to exceed \$3,086.10.

Salary - \$2,866.79

Soc Security - \$219.31

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. 530-10: AUTHORIZATION FOR WAYNE COUNTY NURSING HOME TO RENT BOOTH SPACE AT THE 2010 WAYNE COUNTY FAIR

Ms. Park presented the following:

WHEREAS, Wayne County Nursing Home has budgeted for the cost of space and will be occupying a booth for the annual participation at the 2010 Wayne County Fair, August 9-14 and the cost for each booth space is \$165 and additional worker passes are \$5 each; now, therefore, be it

RESOLVED, that the Chairman of the Board is hereby authorized to execute a contract on behalf of the County of Wayne with the Union Agricultural Society at Palmyra for a booth rental space of \$165 including two (2) worker passes at a total cost not to exceed \$165.

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

Mr. Groat addressed the Board to say that he will not support this resolution due the fact that the County pays an annual appropriation to the Palmyra Union Agricultural Society (Wayne County Fair) and feels that county departments should not have to pay for booth rental spaces for participation at the Fair.

Upon roll call, all Supervisors voted Aye, except Supervisor Groat who voted Nay. The Chairman declared the Resolution adopted.

RESOLUTION NO. 531-10: RESOLUTION URGING NEW YORK STATE TO SIGNIFICANTLY CUT THE UNFUNDED MANDATES THAT CAUSE LOCAL PROPERTY TAX INCREASES BEFORE IMPOSING A CAP ON LOCAL PROPERTY TAXES

Mr. Hammond presented the following:

WHEREAS, Governor David Paterson and many State Legislators are supportive of a cap on local property tax levies of 4%, or 120% of inflation, whichever is less and little or no action has been taken by New York State to decrease or control the costs of unfunded State mandates, which have been driving county property tax levels for decades; and

WHEREAS, without mandate reform, such a cap would be impossible because State mandates make up as much as 75 to 85 percent of a county budget, and these State costs increase substantially each year, well over the proposed 4% cap. Some examples:

- County payments to the NYS Retirement System are expected to rise 33% in 2011.
- The local cost of Medicaid rises 3% each year.
- The State continues to shift its costs to counties in the 2009-10 and 2010-11 State budgets.
- New York State currently owes Wayne County at least \$3.7 million, overdue for State services rendered by Wayne County.
- During the 2010 legislative session, the State shifted over \$100 million in costs to counties for delivering state services locally in child welfare and youth detention programs, representing yet another unfunded mandate.

WHEREAS, counties are mandated by the State to use local tax dollars to pay for State programs such as Medicaid, early intervention services, pre-school special education services, public assistance, child welfare, youth detention, jails and numerous other programs and the property tax cap proposal does nothing to reduce or eliminate the current mandates; and

WHEREAS, the property tax cap proposal allows local boards to override the cap with a two-thirds majority vote, thereby not only shifting costs to local governments, but also unfairly shifting the burden to local leaders for tax increases that are actually caused by the State and the Wayne County Board of Supervisors has, through responsible financial and

budgetary actions and policies, stabilized and decreased property tax rates from \$9.51 to \$7.82 per thousand since 2005, and reduced the tax levy from \$39,419,042 to \$35,049,084 during the same period, despite the recession, and without the "benefit" of a State-imposed property tax cap; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors urges New York State not to impose a local property tax cap unless it is coupled with significant cuts to the State mandated programs that cause local property tax increases; and be it further

RESOLVED, that copies of this Resolution be forwarded to Governor David Paterson, State Senator Michael Nozzolio, Assemblyman Robert Oaks, and the New York State Association of Counties.

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

Mr. Lauderdale addressed the Board to stress the importance of capping local property taxes.

Upon roll call, all Supervisors voted Aye, except Supervisor Lauderdale who voted Nay. The Chairman declared the Resolution adopted.

RESOLUTION NO. 532-10: RESOLUTION DIRECTING DIRECTOR OF PROBATION TO NOT AMEND THE COUNTY INTERLOCK PLAN TO COMPLY WITH THE PROVISIONS OF THE CHILD PASSENGER SAFETY ACT

Mr. Plant presented the following:

WHEREAS, each county in New York State was required to submit an Ignition Interlock Plan to New York State in order to prepare to implement the Child Passenger Safety Act, Chapter 496 of the Laws of 2009 also referred to as "Leandra's Law" and it was represented that the law would be "no fiscal impact to the State" and as part of the Interlock Plan the agency designated by Wayne County to be the Conditional Discharge Monitor for the Ignition Interlock devices that are required under this law is the New York State Police and the Director of Probation and Correctional Alternatives has been informed that the plan that was submitted does not meet the requirements of the law as the New York State Police have indicated they will not monitor Interlock Devices; and

WHEREAS, the Director has been requested to submit an addendum to the plan that addresses the Conditional Discharge monitoring agency designation and placing the Conditional Discharge monitoring responsibility within the Wayne County Department of Probation and Correctional Alternatives would require an additional staff person at an initial annual net cost of nearly \$50,000 to the property taxpayers of Wayne County; and

WHEREAS, the State of New York has continued to place additional unfunded mandates on Wayne County and upon all of the Counties within the State and the Wayne County Board of Supervisors recognizes the positive intent of the law but cannot continue to burden the taxpayers of the county with expanded and unfunded mandates like the monitoring provisions of "Leandra's Law"; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby directs the Director of Probation and Correctional Alternatives to not amend the Wayne County Interlock Plan as he was requested to do so by the New York State Division of Criminal Justice Services; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to send a copy of this resolution to Governor David A. Paterson; United States Congressman Daniel Maffei; NYS Assembly Leader Sheldon Silver; Assemblyman Robert C. Oaks; NYS Senator Michael F. Nozzolio; United States Senator Charles Schumer; United States Senator Kirsten Gillibrand; the New York State Association of Counties and to forward electronic copies of this resolution to the appropriate Chief Executive Officer of each of New York States' Counties and all others deemed necessary and proper.

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

Mr. Plant addressed the Board to assert that he feels that counties should band

together and send a clear message that we are displeased for the imposed, unfunded mandates implemented by the state and federal authorities, putting the burden on the County.

Mr. Hoffman requested Assistant County Attorney Daniel Connors for comments regarding an action suite against the State of New York regarding the County's fight against unfunded mandates proposed and implemented by the State.

Mr. Connors had made contact with other counties with similar concerns without a favorable outcome. His research shows that counties, being sub-divisions of the State, have no due course and protection in the eyes of the court; and that not every legal problem has a legal solution. Further, this is not a matter that can be settled in the court room as this is truly a political matter.

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

Mr. Lauderdale requested the Clerk to for a copy of the letter received, listed under Board Communications, from F. David Sheppard of the US Department of Homeland Security.

EXECUTIVE SESSION: At 9:40 a.m., Mrs. Collier moved, seconded by Mr. Manktelow, that the Board go into Executive Session to discuss Collective Negotiations pursuant to Article 14 of the Civil Service Law. Upon roll call, carried.

REGULAR SESSION: Mr. LeRoy moved, seconded by Mr. Lauderdale, that the Board resume regular session 10:08 a.m. Carried.

County Administrator Marquette requested to address the Board regarding information concerning the New York State and Local Government Early Retirement Incentive program. He informed the Board that the Part A Option would be the one possibly considered on a very limited bases. He emphasized that there are stringent requirements tied to this option involving the Board eliminating a position for every two employees that take this incentive.

Mr. Marquette indicated that a public hearing date will need to be set and authorized at the August 9th Board meeting; additionally, a special board meeting will need to be held for that public hearing for the adoption of the local law to be enacted before the state participation deadline of August 31.

ADJOURNMENT:

The next scheduled meeting of the Board will be held at the Wayne County Fair at the Palmyra fairgrounds on Monday, August 9, 2010 at 10:00 a.m. Ample seating will be available for members of the public and press to attend.

Board members were reminded of the scheduled ribbon cutting ceremony set for 1:00 p.m., and were invited to stop by to view the different booths, including the Board of Elections information booth for a demonstration of the new voting machine equipment that will be on display.

Sheriff Virts addressed the Board and commented that a command post will be set up for security to be fully staffed for the duration of the Fair festivities.

Mr. Miller moved, seconded by Ms. Park, that this meeting be adjourned at 10:15 a.m. Carried.

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

14th Day
Monday, August 9, 2010
10:00 a.m.

The August Board meeting was held on opening day of the 2010 Wayne County Fair in the Village of Palmyra, with Chairman Hoffman presiding in this footnote in Wayne County history.

The Pledge of Allegiance was led by Supervisor Spickerman.

Chairman Hoffman welcomed and proudly introduced Lt. Col. (Ret.) Thomas Dawes to today's Board Meeting to sing the National Anthem. Lt. Col. Dawes, resident of the Town of Williamson, is a World War II Veteran and also served in the Korean and Viet Nam Wars.

Rev. Jack W. Bailey offered today's invocation.

The Clerk called the roll and all Supervisors were in attendance, along with County Administrator James Marquette and County Attorney Daniel Wyner.

Pamela Ferranti, Director of the Wayne County Fair, along with David McGuire, Wayne County Fair Apprentice, Village of Palmyra's Deputy Mayor, Ken Bradstreet, and Miss Sarah Kois from the Royal Court of the County Fair on behalf of the Queen and Princess', took this opportunity to welcome Board Members and staff to the Wayne County Fair, celebrating their 155th year.

APPROVAL OF MINUTES:

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

COMMUNICATIONS:

The Clerk read the following:

Copy of an adopted resolution from the Seneca County Board of Supervisors regarding endorsement of appointments to the Finger Lakes Workforce Investment Board.

A letter from Governor David Paterson to acknowledge receipt of Resolution No. 531-10, adopted by the board last month. This resolution is urging New York State to significantly cut the unfunded mandates that cause local property tax increases.

Ms. Park moved, seconded by Mr. Miller, that the Communications be received and filed. Upon roll call, carried.

BIDS:

Wayne County Buildings and Grounds

- Janitorial and Custodial Services for the Wayne County Health Services Building
- Wayne County E911 Communications
- Radio Communications Infrastructure Project

Mrs. Bender moved, seconded by Mr. Manktelow, that the bids be referred to the appropriate committees for review. Upon roll call, carried.

Palmyra Supervisor Ken Miller read a Proclamation on behalf of the Board, entitled "Finger Lakes Golden Olympics Day – September 11, 2010".

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.

County Administrator Marquette was asked to highlight board voting procedures and he briefly explained the weighted voting system to all members of the public attending today's meeting.

RESOLUTION NO. 533-10: AUTHORIZATION TO CONTRACT FAMILY AND COMMUNITIES TOGETHER SERVICES WITH WAYNE COUNTY SCHOOL SYSTEM

Mrs. Crane presented the following:

WHEREAS, Families and Communities Together (FACT) is an interagency initiative designed to assist families of children who are having difficulty in their home, school, or community due to emotional and/or behavioral challenges. FACT serves children in grades K through 12 in seven school districts throughout Wayne County. The primary goal of FACT is to prevent out of home placements; and

WHEREAS, eight Wayne County Superintendents, including Williamson, have requested to enter a contractual agreement with the Department of Aging and Youth for the provision of FACT services in their schools districts and the Department of Aging and Youth agrees to provide FACT services to a minimum number children requested per school district at a sum of \$500.00 per child; now, therefore, be it

RESOLVED, the Department of Aging and Youth requests authorization to contract, upon the review and approval of the County Attorney, with the school listed below in the specified amount for the contract period from July 1, 2010 through June 30, 2011:

School	Youth Served	Total Cost
Williamson	2	\$1,000

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

RESOLUTION NO. 534-10: PURCHASE MEDICAL INFORMATION CARDS WITH PROMOTIONAL HOLDERS

Mrs. Crane presented the following:

WHEREAS, the Department of Aging and Youth serves elderly clients who frequently require emergency medical care and ambulance transport and current medical and prescription information is vital to receiving prompt and effective services and Community Services for the Elderly grant funding is available for health promotion and wellness activities and would cover the cost of these cards and with holders and the following quotes were received for cards and holders:

1000 cards		1000 holders	
Key Industries	\$127.26	4imprint.com	\$645.00
Sunrise Imaging	\$245.00	Key Industries	\$403.20
Wayuga Community Newspapers	\$83.81	Staples	\$235.00

now, therefore, be it

RESOLVED, that the Department of Aging and Youth is authorized to purchase 1,000 medical information cards from Wayuga Community Newspapers for \$83.81 and 1,000 card holders from Staples for \$235 for a total of \$318.31.

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

RESOLUTION NO. 535-10: AUTHORIZATION TO PURCHASE PERSONAL EMERGENCY RESPONSE SYSTEM UNITS

Mrs. Crane presented the following:

WHEREAS, the Wayne County Department of Aging and Youth currently provides

Personal Emergency Response System (PERS) units to 165 frail and elderly residents of Wayne County and PERS units increase seniors' ability to remain safe and independent in their own homes and apartments and decrease the need for costlier institutional placements and the Department of Aging and Youth is the sole provider of PERS services in Wayne County for individuals who have Medicaid coverage; and eligibility guidelines for Medicaid-funded PERS units have recently changed, which has increased the number of PERS units reserved for Medicaid recipients in the previous year from one to 22; and

WHEREAS, this increase has resulted in the Department maintaining a waiting list for PERS units for all seniors, regardless of Medicaid status, and has impacted the Department's ability to install PERS units for Medicaid recipients within the required seven days after we receive written authorization from the Department of Social Services; and the Department wishes to purchase twenty additional PERS units to allow us to meet the increased demand for this service and funds to purchase PERS units and related equipment come exclusively from donations from subscribers and community groups and organizations; now, therefore, be it

RESOLVED, that the Director of the Department of Aging and Youth is hereby authorized and directed to purchase twenty Linear 2400 personal emergency response units from Doyle Security, currently the exclusive supplier of PERS equipment to the Department of Aging and Youth, for a cost not to exceed \$6,960.00 out of the Trust Account.

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

RESOLUTION NO. 536-10: AUTHORIZATION TO PURCHASE BROCHURES FOR THE FACT PROGRAM FOR THE DEPARTMENT OF AGING AND YOUTH

Mrs. Crane presented the following:

WHEREAS, the Department of Aging and Youth's Families and Communities Together (FACT) program serves families in eight school districts and collaborates with numerous agencies and schools, agencies and families that need assistance in dealing with emotional and behavioral challenges of their children benefit from written information that describes FACT services; and

WHEREAS, the following quotes were received for brochures:

<u>1000 Brochures</u>	
Sunrise Imaging	\$520.00
Wayuga Community Newspapers	\$309.92
Key Industries	\$586.30

now, therefore, be it

RESOLVED, that the Department of Aging and Youth is authorized to purchase 1,000 FACT brochures from Wayuga Community Newspapers for \$309.92.

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

RESOLUTION NO. 537-10: AUTHORIZATION FOR THE DEPARTMENT OF AGING AND YOUTH TO ENTER INTO A PARTICIPATION AGREEMENT WITH THE GREATER ROCHESTER REGIONAL HEALTH INFORMATION ORGANIZATION

Mrs. Crane presented the following:

WHEREAS, Wayne County Department of Aging and Youth is requesting authorization to enter into a Participation Agreement with the Greater Rochester Regional Health Information Organization (RHIO) in order to facilitate better coordination of services for consenting clients accessing medical care in the nine-county region; and

WHEREAS, Rochester RHIO, a non profit agency, provides a secure electronic health information exchange that gives authorized medical providers access to test results, lab reports, radiology results, medication history, insurance eligibility, and service information on consenting patients and the goal is for the participating medical community to provide

better medical care and discharge planning for their patients by ensuring that appropriate community-based services are already in place or to make appropriate referrals for these services; and

WHEREAS, some area medical providers that participate in the RHIO health information exchange include Clifton Springs, Thompson, Highland, Lakeside, Noyes, Rochester General, Newark-Wayne, Strong, and Unity Health System and by the department entering this agreement with the Rochester RHIO, it will allow participating physicians and medical staff to access Department of Aging and Youth service information from our web-based data collection program (Peer Place) on their patients who have signed a RHIO Consent Form; and

WHEREAS, this is a unilateral system, in that medical providers can view Department of Aging and Youth service data, but Department of Aging and Youth staff cannot view medical data and this agreement is at no cost to the County; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign the Participation Agreement, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the Rochester RHIO. The effective date will begin when the Participation Agreement is entered into the RHIO system and will be terminated upon the County's request with said agreement being at no Cost to the County.

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

RESOLUTION NO. 538-10: AUTHORIZE NEW YORK CONNECTS CONTRACT BETWEEN DEPARTMENT OF AGING & YOUTH AND SOCIAL SERVICES

Mrs. Crane presented the following:

WHEREAS, Wayne County has implemented a Single Point of Information program termed "NY Connects" and the Wayne County Department of Aging & Youth has been named as the lead agency for this endeavor and the possibility of federal financial participation through the Medicaid Program makes having the Commissioner of the local Department of Social Services a logical choice to sign the contract and the Department of Social Services will function as the fiscal agency for this contract; now, therefore, be it

RESOLVED, that the Commissioner of Wayne County Department of Social Services is hereby authorized to sign the "NY Connects" Contract for the timeframe 10/1/10-9/30/11 in an amount not to exceed \$64,000, subject to the review of the Wayne County Attorney.

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

RESOLUTION NO. 539-10: AGREEMENT WITH WAYNE COUNTY DEPARTMENT OF AGING AND YOUTH TO PROVIDE OUTREACH ACTIVITIES – HOME ENERGY ASSISTANCE PROGRAM (HEAP)

Mrs. Crane presented the following:

WHEREAS, Wayne County Department of Social Services is required to contract with an alternate certifier for the Home Energy Assistance Program (HEAP) program and Wayne County Department of Aging and Youth has provided this service in the past in an acceptable manner and timeframe; now, therefore, be it

RESOLVED, that the Commissioner of the Wayne County Department of Social Services is hereby authorized to enter into an Agreement with Wayne County Department of Aging and Youth to provide outreach activities during the period 10/1/10-9/30/11, for the total sum of \$26,350 subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 540-10: AUTHORIZATION TO AMEND 2010 COUNTY BUDGET TO DELETE WFD-DSS TEAP BUDGET A6216

Mrs. Crane presented the following:

WHEREAS, the 2010 County Budget anticipated an agreement between Wayne County Department of Social Services and Wayne County Workforce Development for the administration of a TEAP (Temporary Employment Assistance Program) and both parties agreed that this program will not be in operation during 2010; now, therefore, be it

RESOLVED, the County Treasurer is hereby directed to amend the 2010 County Budget as follows:

A1990-CONTINGENT FUND GEN:

\$6,704.00 to .54000 Contractual Expense

A6216-WFD-DSS TEAP:

\$3,100.00 from .42766 DSS Reimbursement
\$1,000.00 from .51088 E & T Director II
\$2,845.00 from .51252 Employment & Training Counselor
\$2,000.00 from .51256 Empl & Training Coordinator
\$ 20.00 from .54166 Postage
\$ 17.00 from .54210 Gas
\$ 127.00 from .54220 Light & Power
\$ 100.00 from .54230 Telephone
\$ 7.00 from .54240 Water
\$ 177.00 from .54407 Building Maintenance & Repair
\$ 747.00 from .54437 Lease
\$ 300.00 from .54485 Travel
\$ 695.00 from .58100 Payments to NYS Retirement
\$ 448.00 from .58200 Payments to Social Security
\$1,296.00 from .58400 Hospitalization
\$ 21.00 from .58600 Disability
\$ 4.00 from .58901 Employee Assistance Program

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

RESOLUTION NO. 541-10: AUTHORIZATION TO AMEND 2010 COUNTY BUDGET TO CLOSE WFD-3 DAY DSS WAGE WORKSHOP BUDGET A6214

Mrs. Crane presented the following:

WHEREAS, the 2010 County Budget anticipated an agreement between Wayne County Department of Social Services and Wayne County Workforce Development for the administration of a 3 Day Workshop Program and both parties agreed that this program will be combined with other DSS programs under Department A6212; now, therefore, be it

RESOLVED, the County Treasurer is hereby directed to amend the 2010 County Budget as follows:

A1990-CONTINGENT FUND GEN:

\$4,789.42 to .54000 Contractual Expense

A6214-WFD-3 DAY DSS WORKSHOP:

\$20,397.20 from .42766 DSS Reimbursement
\$ 166.17 to .51088 E & T Director II
\$ 1,123.96 from .51123 Account Clerk-Typist
\$ 5,676.45 from .51252 Employment & Training Counselor
\$ 3,414.99 from .51256 Empl & Training Coordinator
\$ 8.86 from .54150 Office Supplies
\$ 93.87 from .54166 Postage
\$ 1,002.24 from .54199 Miscellaneous Expense
\$ 42.90 from .54210 Gas
\$ 590.74 from .54220 Light & Power
\$ 85.20. to .54230 Telephone
\$ 24.98 from .54240 Water

\$ 66.85 to .54300 Insurance
\$ 403.16 from .54407 Building Maintenance & Repair
\$ 1,500.00 from .54414 Information Technology
\$ 2,360.94 from .54437 Lease
\$ 200.00 from .54456 Printing
\$ 190.43 from .54485 Travel
\$ 4,299.00 from .58100 Payments to NYS Retirement
\$ 907.96 from .58200 Payments to Social Security
\$ 3,542.52 from .58400 Hospitalization
\$ 125.00 from .58600 Disability
\$ 3.16 to .58901 Employee Assistance Program

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

RESOLUTION NO. 542-10: AUTHORIZE AMENDMENT TO 2010 COUNTY BUDGET FOR THE EXTENSION OF THE VETERAN'S RETURN GRANT (A6218)

Mrs. Crane presented the following:

WHEREAS, the Wayne County Workforce Development office budgeted monies were not utilized in Veteran's grant for the 2009 year and the funds will be needed to closeout or extend the current program for the 2010 budget year and budget adjustments are required to reflect these changes, as they affected the 2010 County Budget; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to make the following amendment of the 2010 County Budget as follows:

A6218-VETERAN'S RETURN:

\$88,498.00 to .44789 Earmark Veterans Grant
\$ 655.00 to .51088 E & T Director II
\$ 3,803.00 to .51123 Account Clerk-Typist
\$10,200.00 to .51252 E & T Counselor
\$67,687.00 to .54000 Contractual Expense
\$ 1,000.00 from .54199 Miscellaneous Expense
\$ 100.00 to .54210 Gas
\$ 100.00 to .54240 Water
\$ 800.00 to .54408 Copier
\$ 1,000.00 to .54437 Lease
\$ 500.00 from .54456 Printing
\$ 500.00 from .54485 Travel
\$ 2,295.00 to .58200 Payments to Social Security
\$ 3,858.00 to Hospitalization

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

RESOLUTION NO. 543-10: AUTHORIZATION FOR MENTAL HEALTH DEPARTMENT TO ESTABLISH NEW POSITIONS, AND AMEND THE 2010 BUDGET

Ms. Park presented the following:

WHEREAS, the Mental Health Department in the course of its regular daily business relies on the services and expertise of a variety of professional licensed individuals to provide treatment to the patients receiving treatment at Wayne Behavioral Health Network and IRS regulations allow for such individuals to who receive payment of less than \$600 per year to be paid by voucher (1099) rather than through the payroll system; and

WHEREAS, IRS regulations require that such individuals who earn more than \$600 per year be paid through the payroll system with such payment subject to withholding and the Director of Human Resources and the Director of Mental Health have determined that the following positions previously paid by voucher must now be paid as employees and these positions remain essential to operations of the department; now, therefore, be it

RESOLVED, that the following positions are established for the Mental Health Department effective August 9, 2010:

Confidential-Management Positions:

Psychiatric Nurse Practitioner 1-Full time (\$78,500 annual salary)
Staff Psychiatrist (Children & Youth Specialist) 1-Full time (\$189,900 annual salary)
Staff Psychiatrist (Medical Director) 1-Part time (\$150 per hour)
Staff Psychiatrist 4-Part time (\$130 per hour)
Physician (Behavioral Health) 1-Part time (\$110 per hour)
Psychologist 1-Part time (\$110 per hour)

Other Positions:

Staff Social Worker 1-Part time

and be it further

RESOLVED that the County Treasurer is hereby directed to amend the 2010 Budget

as follows:

A4300-BEHAVIORAL HEALTH:

\$ 5,000 from .54563.M2120 Contracted CMHP
\$112,415 from .54566.M2110 Physician
\$111,149 from .54566.M2120 Physician
\$ 26,000 from .54566.M3120 Physician
\$ 5,500 from .54566.M6120 Physician
\$ 35,000 to .51581.M4120 Physician
\$ 12,000 to .51582.M3120 Staff Psychologist PT
\$ 5,600 to .51323.M2120 Staff Social Worker PT
\$ 63,000 to .51496.M2110 Staff Psychiatrist
\$ 26,200 to .51518.M2120 Psychiatric Nurse Practitioner
\$ 63,350 to .51583.M2110 Staff Psychiatrist PT
\$205,000 to .51583.M2120 Staff Psychiatrist PT
\$ 10,017 to .58100.M2110 NYS Retirement
\$ 4,166 to .58100.M2120 NYS Retirement
\$ 9,667 to .58200.M2110 Social Security
\$ 18,115 to .58200.M2120 Social Security
\$ 918 to .58200.M3120 Social Security
\$ 2,678 to .58200.M4120 Social Security
\$ 4,450 to .58400.M2110 Hospitalization
\$ 4,450 to .58400.M2120 Hospitalization
\$ 60 to .58600.M2110 Disability
\$ 60 to .58600.M2120 Disability
\$ 42,791 to .41613.M4120 Medicaid
\$ 918 to .41613.M3120 Medicaid
\$ 74,847 to .41613.M2110 Medicaid
\$ 86,111 to .41613.M2120 Medicaid

Mrs. Collier 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. 544-10: AUTHORIZATION FOR MENTAL HEALTH DEPARTMENT TO ABOLISH ONE ADDICTIONS THERAPIST POSITION AND CREATE ONE STAFF SOCIAL WORKER AND AMEND BUDGET

Ms. Park presented the following:

WHEREAS, due to recent internal staff changes involving existing staff moving into a different job title, it has necessitated revising our present staffing pattern to address current program needs and positions and in response to these circumstances the Director of Mental Health would now like to abolish one (1) Addictions Therapist position and Create one (1) Staff Social Worker position in order to properly align our staffing pattern and to better meet program needs; now, therefore, be it

RESOLVED, that the Mental Health Dept. is authorized to abolish one (1) Addictions Therapist position and create one (1) Staff Social Worker position and the following 2010 Budget amendment is authorized:

A4300-BEHAVIORAL HEALTH:

\$15,000 from .51498.M4120 Addictions Therapist

\$15,000 to .51322.M2110 Staff Social Worker

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

RESOLUTION NO. 545-10: AUTHORIZATION TO EXECUTE CONTRACT FOR TRANSITION SERVICES AT THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the Comptroller at the Nursing Home has tendered his resignation effective August 4, 2010 and the individual has agreed to assist in the preparation of the 2011 Budget and other transition services and the Nursing Home needs the availability the transitional services; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisor's be authorized and directed to execute an agreement with Andrew Richardson on behalf of the Wayne County Nursing Home, subject to the County Attorney's approval as to form and content for the period August 5, 2010 to December 31, 2010 as needed at a cost \$50 per hour not to exceed \$10,000.

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

RESOLUTION NO. 546-10: RESOLUTION SETTING ANNUAL SALARY FOR VACANT COMPTROLLER POSITION AT NURSING HOME

WHEREAS, a confidential/management position, Comptroller, vacancy exists in the Wayne County Nursing Home and the County Administrator anticipates authorizing the advertising and refilling of the position effective August 10, 2010 and no formal classification or salary schedule exists for management and confidential employees and the County Administrator does not have the authority to set salaries without a Board of Supervisors approved salary schedule; and

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

RESOLVED, that the salary for the vacant Comptroller is hereby established up to \$65,000 per year.

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

RESOLUTION NO. 547-10: AUTHORIZING AGREEMENT WITH POMCO, INC. A NEW YORK CORPORATION AND THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, POMCO currently contracts with Wayne County Nursing Home for the purpose of providing Skilled Nursing Services to its enrolled members and POMCO now includes outpatient rehabilitation services for their enrolled members and the Nursing Home is requesting permission to amend current agreement to include the provision of outpatient rehabilitation services; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute the agreement between POMCO, Inc. and the Wayne County Nursing Home for the provision of Skilled Nursing Services to its members and including outpatient rehab services effective September 1, 2010 subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 548-10: AUTHORIZATION TO AMEND 2010 BUDGET FOR MDS 3.0 TRAINING FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, The Center for Medicare and Medicaid (CMS) has revised the MDS for nursing homes effective October 2010 and this will require nursing home staff trained to ensure proper classification for reimbursement purposes and there is \$991 remaining in the Nursing Administration account and there is \$3,140 remaining in the Fiscal Services In-service account; now, therefore, be it

RESOLVED, to transfer funds within the 2010 nursing home budget for the purpose of training staff in the new MDS process needed by the Wayne County Nursing Home as follows:

Decrease:

E60000-54880-E8310 by \$1,500

Increase:

E60000-54880-E6010 by \$1,500

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

RESOLUTION NO. 549-10: AUTHORIZATION TO AMEND RESOLUTION 258-09 AUTHORIZING CONTRACTS WITH PROVIDERS OF SPECIAL EDUCATION SERVICES

Ms. Park presented the following:

WHEREAS, the County is required to contract with approved special education services or programs pursuant to Section 4410 of the Education and the Williamson Central School District has received approval from the New York State Department of Health (NYSDOH) to provide special education services or programs starting September 1, 2010 to June 30, 2011; now, therefore, be it

RESOLVED, Resolution 258-09 is hereby amended to authorize the Chairman of the Board of Supervisors to contract with the Williamson Central School District, 4184 Miller St., Williamson, NY 14589, to provide special education services or programs, from September 1, 2010 to June 30, 2011, subject to the approval of the County Attorney as to form and content, at the per session rate established by the NYSDOH.

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

RESOLUTION NO. 550-10: AUTHORIZATION TO AMEND RES. NO. 257-09 AUTHORIZING CONTRACTS WITH PROVIDERS OF RELATED SERVICES FOR PRESCHOOL CHILDREN WITH HANDICAPPING CONDITIONS TO ADD SERVICE PROVIDER

Ms. Park presented the following:

WHEREAS, Resolution 257-09 authorized contracts with providers of related services for preschool Children with Handicapping Conditions for the period of 7/1/09 to 6/30/11 and the County must contract for the provisions of related services for preschool-age children with handicapping conditions; and

WHEREAS, the Williamson Central School District has received New York State Department of Health approval to provide Preschool Related Services as listed below starting September 1, 2010 to June 30, 2011; now, therefore, be it

RESOLVED, Resolution 257-09 is hereby amended to authorize the Chairman of the Board of Supervisors to contract with the Williamson Central School District at 4184 Miller St., Williamson, NY 14589, as a Related Service provider for Children with Handicapping Conditions, with the approval of the County Attorney as to form and content, for the period of September 1, 2010 to June 30, 2011 in accordance with the rates approved by the Health & Medical Committee of the Board of Supervisors.

Speech Therapy	\$57 / .5 hour
Occupational Therapy	\$57 / .5 hour

Physical Therapy	\$57 / .5 hour
Psychological Services	\$57 / .5 hour
Audiology Services	\$57 / .5 hour
Assistive Technology	\$57 / .5 hour
Social Work	\$57 / .5 hour
1:1 Aide	\$12 / hour
Paraprofessional Aide	\$12 / hour
Teaching Assistant	\$12 / hour

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

RESOLUTION NO. 551-10: AUTHORIZATION TO ABOLISH ONE LICENSED PRACTICAL NURSE AND ONE PART-TIME BILINGUAL COMMUNITY HEALTH WORKER AND CREATE ONE BILINGUAL COMMUNITY HEALTH WORKER

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) has one full-time Licensed Practical Nurse (LPN) who is retiring on July 30, 2010 and WCPH also has one part-time Bilingual Community Health Worker (BCHW) who has resigned as of July 25, 2010 and WCPH has identified the need for clerical services within the Preventive Services Department and continues to have a need to provide interpretation and translation for the services provided by WCPH to the Spanish speaking population of the County of Wayne and WCPH would like to abolish the LPN and the part-time BCHW and create a full-time BCHW to fulfill these needs; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to abolish one full-time Licensed Practical Nurse position and one part-time Bilingual Community Health Worker position and create one full-time Bilingual Community Health Worker for the Wayne County Public Health Department.

Mr. LeRoy 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. 552-10: AUTHORIZATION TO AMEND CONTRACT WITH WAYNE FINGER LAKES BOCES FOR TRANSPORTATION TO ADD SITE

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 Red Creek Central School District for the 2010 – 2012 school years; and

WHEREAS, the Williamson Central School District has now become a New York State Department of Health approved provider of 4410 and Pre-K services and transportation will need to be established with the Finger Lakes BOCES to transport children within the County of Wayne to this site as appropriate at the rate of \$33.00 per child per day; now, therefore, be it

RESOLVED that the Chairman of the Board of Supervisors is authorized to enter into an amended agreement with Wayne Finger Lakes BOCES to add the Williamson Central School District as a site for 4410 and Pre-K Services for children with handicapping conditions for the 2010 – 2012 school years, at a rate of \$33.00 per child per day, with the approvals of the County attorney as to form and content.

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

RESOLUTION NO. 553-10: AUTHORIZATION TO ESTABLISH 2011 WORKER COMPENSATION PLAN RATES

Mrs. Collier presented the following:

WHEREAS, the County of Wayne is required to establish rates for 2011 for the Self-

Insured Workers Compensation Plan and said rates shall be adopted by the Wayne County Board of Supervisors for each member of the Self-Insured Workers Compensation Plan; now, therefore, be it

RESOLVED, that the County of Wayne hereby adopts the following rates for 2011 for the Self-Insured Workers Compensation Plan:

Wayne County	\$1,106,198.00		
Town of Arcadia	\$ 36,369.00	Village of Clyde	\$ 12,317.00
Town of Butler	\$ 7,462.00	Village of Lyons	\$ 19,953.00
Town of Galen	\$ 12,135.00	Village of Newark	\$ 178,059.00
Town of Huron	\$ 19,025.00	Village of Palmyra	\$ 13,689.00
Town of Lyons	\$ 24,117.00	Village of Red Creek	\$ 1,867.00
Town of Macedon	\$ 418,987.00	Village of Sodus	\$ 6,174.00
Town of Marion	\$ 18,496.00	Village of Sodus Point	\$ 23,178.00
Town of Ontario	\$ 73,705.00	Village of Wolcott	\$ 7,903.00
Town of Palmyra	\$ 23,795.00	Wayne CAP	\$ 59,131.00
Town of Rose	\$ 9,149.00	WCWSA	\$ 8,328.00
Town of Savannah	\$ 20,726.00	WC Historical Society	\$ 500.00
Town of Sodus	\$ 46,757.00	Macedon Library	\$ 1,145.00
Town of Walworth	\$ 47,434.00		
Town of Williamson	\$ 39,936.00		
Town of Wolcott	\$ 15,063.00		

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

RESOLUTION NO. 554-10: AUTHORIZATION TO AMEND 2010 COUNTY BUDGET FOR THE PAYMENT OF TAXABLE TRAVEL FOR THE BOARD OF SUPERVISORS

Mrs. Collier presented the following:

WHEREAS, a recent Internal Revenue Service Audit of Wayne County disclosed a few deficiencies in current procedures and policies and one area noted was the procedure for paying travel to the Board of Supervisors members and the audit identified commuting travel as taxable for Board members and required the reporting of commuting travel as taxable; now, therefore, be it

RESOLVED, that the County Treasurer hereby create the following line item and amend the 2010 County Budget as follows:

A1010-LEGISLATIVE BOARD:

\$5,550.00 to .51921 Travel-taxable

\$5,550.00 from .54485 Travel

\$ 425.00 from .54600 Misc.

\$ 425.00 to .58200 Payments to Social Security

Ms. Park moved the adoption of the resolution. Seconded by Mr. Hammond.

Mr. Lauderdale moved to amend the resolution to adjust the reimbursement rate to the IRS commuting rate of 92.35%. Chairman Hoffman called for a second on the proposed amendment. There was no second.

Upon roll call on the original resolution presented, all Supervisors voted Aye, except Supervisor Lauderdale who voted Nay. The Chairman declared the Resolution adopted.

RESOLUTION NO. 555-10: AUTHORIZATION TO EXECUTE CONTRACT WITH HANCOCK & ESTABROOK FOR NEGOTIATIONS FOR COUNTY COLLECTIVE BARGAINING AGREEMENTS

Mrs. Collier presented the following:

WHEREAS, the County of Wayne contemplates entering into negotiations regarding

the Wayne County Sheriff's Police Officers' Association, the Professional Service Workers Local 81382 IUE-CWA, the Civil Service Employees Association, Inc, Local 859 General Unit 9100-02, and the Civil Service Employees Association, Inc, Local 859 Supervisory Employees Unit 9100 collective bargaining agreements; and

WHEREAS, the County of Wayne deems it would be appropriate to have a professional negotiator represent the County of Wayne in said negotiations and Hancock & Estabrook, LLP has submitted a proposal to conduct said negotiations with the Wayne County Sheriff's Police Officers' Association, the Professional Service Workers Local 81382 IUE-CWA, the Civil Service Employees Association, Inc, Local 859 General Unit 9100-02, and the Civil Service Employees Association, Inc, Local 859 Supervisory Employees Unit 9100; the attorney's assigned to the project team will be John F. Corcoran, Esq. at a rate of \$220 per hour, and Melinda Burdick Bow at a rate of \$195 per hour, travel time will be charged, mileage will be charged separately at the current state mileage rate plus tolls and if an overnight stay is necessary, the consultant will be reimbursed for the cost of lodging upon receipt of invoices; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby accepts the proposal from Hancock & Estabrook, LLP for professional negotiation services regarding said contract negotiations between the County of Wayne and the Wayne County Sheriff's Police Officers' Association, the Professional Service Workers Local 81382 IUE-CWA, the Civil Service Employees Association, Inc, Local 859 General Unit 9100-02, and the Civil Service Employees Association, Inc, Local 859 Supervisory Employees Unit 9100, the attorney's assigned to the project team will be John F. Corcoran, Esq. at a rate of \$220 per hour, and Melinda Burdick Bow at a rate of \$195 per hour, travel time will be charged, mileage will be charged separately at the current state mileage rate, plus tolls and if an overnight stay is necessary, the consultant will be reimbursed for the cost of lodging upon receipt of invoices; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute all documents relating to said agreement, subject to the County Attorney's approval as to form and content.

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

Mr. Groat thanked the Government Operations Committee for all their hard work on the proposed resolution but stated that he would not support the passing of the resolution for contracting with Hancock & Estabrook for negotiation services as we have three employees currently employed to represent our employees' best interests.

Mr. Colacino agreed with Mr. Groat and added that we need to improve communication with our employees to work through the negotiation process and by actual County employees.

Mr. Spickerman disagreed and commented that Hancock and Estabrook were contracted in the past and are highly qualified to get this job done. He also added that these negotiations take a lot of time that not everyone has.

Upon roll call, all Supervisors voted Aye, except Supervisors Colacino and Groat who voted Nay. The Chairman declared the Resolution adopted.

RESOLUTION NO. 556-10: AUTHORIZE THE BOARD OF ELECTIONS TO RENT A TRUCK TO TRANSPORT LEVER VOTING MACHINES (TABLED – August 9, 2010)

Mrs. Collier presented the following:

WHEREAS, the County has the responsibility for the lever voting machines which are no longer approved for use in elections and these lever voting machines are located in the towns where they were previously used and it is necessary to pickup these voting machine equipment and transport them to a County storage facility and the County does not possess the necessary truck with a hydraulic lift gate; now, therefore, be it

RESOLVED, that the Board of Elections is hereby authorized to rent a suitable truck

to transport used voting equipment to a County storage facility at a cost not to exceed \$400.00.

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

Amendments to this resolution were proposed to possibly offer said used lever voting machines to Wayne-Finger Lakes BOCES and area schools for their use and spare parts. Further addition to this amendment would include declaring remaining unwanted lever voting machines as surplus by going through the County's normal bidding process to dispose of them.

There was some discussion as to the relocation and storage of these machines to a county storage facility at the former Eric Canal Cultural Center.

A second amendment was offered to remove the cost of \$400 associated with renting the truck needed to transport these machines.

Mr. Lauderdale moved, seconded by Ms. Park, to table the resolution until next month's Board session. Upon roll call, all supervisors voted Aye. Motion carried.

RESOLUTION NO. 557-10: AUTHORIZE CONTRIBUTION TO AGRICULTURAL AND FARMLAND PROTECTION BOARD TO SUBSIDIZE COST OF WAYNE COUNTY FARM TOUR

Mr. Spickerman presented the following:

WHEREAS, the Wayne County Agricultural Development Board, Cooperative Extension and Farm Bureau are sponsoring a policy-maker breakfast and tour of farms throughout the County on September 24, 2010 and the Board will be using the services of a WATS bus to conduct the tour, which will cost \$190 and the Wayne County Agricultural Development Board has requested financial assistance from the County to pay for the cost of the WATS bus; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorizes a contribution of \$190 to cover the costs associated with WATS transportation for the Wayne County farm tour and, that these funds shall be obtained from Account No. A8020.54403 (Ag District Reviews).

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

RESOLUTION NO. 558-10: AUTHORIZE SUBMISSION OF A SNOWMOBILE TRAILS GRANT-IN-AID APPLICATION ON BEHALF OF WAYNE COUNTY SNOWMOBILE CLUBS

Mr. Spickerman presented the following:

WHEREAS, Resolution 560-98 established Wayne County as the Local Sponsor for the Snowmobile Trails Grant-In-Aid Program offered through the NYS Office of Parks, Recreation and Historic Preservation (OPRHP) and the County Planning Department has prepared applications to said grant program on behalf of snowmobile clubs in the County since 1998; and

WHEREAS, the County continues to recognize and support the recreational and economic benefits of snowmobiling throughout the County; now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes the Planning Department to prepare and submit an application to OPRHP's Snowmobile Trails Grant-In-Aid Program for the 2010/2011 funding cycle pending approval by the County Attorney as to form and content.

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

Mr. Plant and Mr. Kelsch addressed the Board to report that they had received many complaints from Ontario and Walworth residents of the significant damage to roads and

driveways along the Whitney Road area by snowmobiles.

They both reported that bills have been submitted to the snowmobile clubs for reimbursement.

Upon roll call, adopted.

RESOLUTION NO. 559-10: AMEND 2010 PLANNING BUDGET AND TRANSFER FUNDS

Mr. Spickerman presented the following:

WHEREAS, the 2010 Planning Department budget included estimated revenues and expenses for the NYS Snowmobile Grant Program in the amount of \$61,000 and the program was funded in the actual amount of \$63,610 and checks totaling \$63,610 will be received by Wayne County and used to reimburse the snowmobile clubs; now, therefore, be it

RESOLVED, that the County Treasurer amend the 2010 Planning Department Budget as follows:

Increase A8020.42098 (Snowmobile Registration Fees) in the amount of \$2,610 to \$63,610.

Increase A80204.54191 (Snowmobile Expense) in the amount of \$2,610 to \$63,610.

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

RESOLUTION NO. 560-10: AUTHORIZE COUNTY TREASURER TO DISBURSE NYS SNOWMOBILE TRAILS FUNDS TO SNOWMOBILE CLUBS

Mr. Spickerman presented the following:

WHEREAS, Wayne County is the Local Sponsor for the Snowmobile Trails Grant-In-Aid program and Wayne County applied for 2009-2010 aid through the NYS Office of Parks, Recreation and Historic Preservation, and has been designated to receive a total of \$63,610 in allowable grant funds for the purpose of maintaining and developing approved snowmobile trails within the county; and

WHEREAS, the Snowmobile Clubs have provided sufficient documentation for trail development and maintenance activities and New York State has audited and approved the documentation of expenditures by the Clubs; now, therefore, be it

RESOLVED that the Wayne County Treasurer is hereby authorized to distribute upon its receipt the \$22,856 (30%) as follows:

Canaltown Snowmobilers, Inc	\$4,401.00
Lakeshore Snow Devils	\$6,312.00
Old Erie Riders, Inc.	\$3,612.00
Webster Ridge Runners	\$2,333.00
Williamson Drift Riders	\$6,198.00

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

RESOLUTION NO. 561-10: AUTHORIZE CHAIRMAN TO PROVIDE LETTER OF SUPPORT FOR SENECA COUNTY TIGER II GRANT APPLICATION

Mr. Spickerman presented the following:

WHEREAS, Seneca County is applying for a Transportation Investment Generating Economic Recovery ("TIGER II") Grant to subsidize the cost of rail improvements on the Corning Secondary line in Wayne County and along other short line railroad track owned and or operated by Finger Lakes Railway and rail infrastructure is integral to the efficient and affordable movement of both freight and passengers and a safe, reliable, and continuous rail network is a critical component of a 21st century transportation network and rail infrastructure is an important economic development tool; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized and

directed to provide a letter in support of the TIGER II Application to be submitted by Seneca County to the U. S. Department of Transportation.

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

RESOLUTION NO. 562-10: AUTHORIZE DESIGNATION OF TOURISM PROMOTION AGENT

Mr. Spickerman presented the following:

WHEREAS, county authorized Tourist Promotion Agency (TPA) are required to make applications and receive funds for most New York State tourism grants programs; now, therefore, be it

RESOLVED, that the Wayne County Office of Tourism and Promotion is hereby designated as the 2011 TPA for the purpose specified in the New York State Promotion Act and the Director of Wayne County Office of Tourism and Promotion, Christine Worth, is hereby designated as Project Director for Wayne County for 2011.

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

RESOLUTION NO. 563-10: AUTHORIZATION TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH THE NYSDOT FOR RIGHT OF WAY COSTS ASSOCIATED WITH THE ALDERMAN ROAD BRIDGE PROJECT

Mr. LeRoy presented the following:

WHEREAS, the Alderman Road Bridge Replacement project will require several property acquisitions in order to complete the construction efforts at the bridge and the original agreement with the NYSDOT did not include adequate right-of-way (ROW) funds for the acquisitions; and

WHEREAS, the supplemental agreement will include necessary funds for the design efforts and the acquisition costs of the necessary ROW and this supplemental agreement will be funded with 80% Federal, 15% State match using Marchiselli funds, and 5% local match, therefore now 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 the NYSDOT for an additional \$24,000, and be it further

RESOLVED that the County Treasurer is hereby authorized to amend the 2010 County Budget as follows:

A1990-CONTINGENT FUND GEN:

\$1,200.00 from .54000 Contractual Expense

A9901-INTERFUND TRANSFER:

\$1,200.00 to .59300 Transfer-County Road

D5112 – ROAD CONSTRUCTION:

\$24,000 to .52905 Alderman Road Bridge Project

D9999 – OTHER:

\$19,200.00 to .44511 Federal Aid-Marchiselli

\$3,600.00 to .43511 State Aid Marchiselli

\$1,200.00 to .45031 Interfund Transfers

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

RESOLUTION NO. 564-10: AUTHORIZATION TO REIMBURSE PROPERTY OWNERS FOR EASEMENTS REQUIRED FOR THE ALDERMAN ROAD BRIDGE PROJECT

Mr. LeRoy presented the following:

WHEREAS, the Alderman Road Bridge replacement project will require several property acquisitions in order to complete the construction efforts at the bridge and since

the project is being progressed with Federal Funds through the NYSDOT, there are certain criteria that must be followed in regards to the acquisition of any proper; and

WHEREAS, the design consultant has utilized the services of a certified appraisal firm to determine the value of the easements and negotiated the payments to the property owners and once the payment is made and the easements filed, the NYSDOT will issue a ROW clearance certificate and the project can be advertised for bid; 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 the following property owners:

Jay Colacino	FEE acquisition	\$5,000.00
David & Faye Privatera	PE acquisition	\$5,400.00
Gerald Van Hout	FEE and PE acquisitions	\$1,500.00
Audrey McNally & David Autovino	PE acquisition	\$900.00

and be it further

RESOLVED, that the County Treasurer is hereby authorized to make payments in the amounts listed above to the property owners from project account D5112 52905 – Alderman Road bridge project.

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

RESOLUTION NO. 565-10: AUTHORIZATION TO ADVERTISE FOR BID THE CREAGER ISLAND-CLYDE RIVER BRIDGE AND DREDGING PROJECT

Mr. LeRoy presented the following:

WHEREAS; the design and ROW acquisition on the Creager Island-Clyde River bridge project (D51122.52686), has been completed and submitted to the NYSDOT for funding authorization and in an effort to expedite the construction of this project, it is beneficial to advertise as soon as the funding has been authorized by the NYSDOT; now, therefore, be it

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to advertise for bid for the 100% Federal funded project, in accordance with specifications prepared by the design consultant and approved by the NYSDOT and the Highway Superintendent and subject to the County Attorney's approval as to form and content; and be it further

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

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

RESOLUTION NO. 566-10: AUTHORIZATION TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH SILVERLINE CONSTRUCTION INC. FOR THE CHRISTIAN HOLLER ROAD BRIDGE PROJECT

Mr. LeRoy presented the following:

WHEREAS, Silverline Construction Inc. has completed the construction work on the Christian Holler Road bridge project and there were some construction items including asphalt pavement that exceeded the original bid quantities and the Resident Engineer on site has verified all of the quantities that have been installed by the Contractor; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a supplemental agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Silverline Construction Inc. for the costs associated with the Construction items; and be it further

RESOLVED, that the County Treasurer is hereby authorized to pay the additional not-

to-exceed cost of \$30,822.26 associated with the Construction work in accordance with Resolution No. 203-09.

Mr. LeRoy moved, seconded by Mr. Hammond to amend Resolution No. 566-10 by replacing the second "WHEREAS" clause and the first and second "RESOLVED" clauses; and to read as amended, as follows:

"RESOLUTION NO. 566-10: AUTHORIZATION TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH SILVERLINE CONSTRUCTION INC. FOR THE CHRISTIAN HOLLER ROAD BRIDGE PROJECT

Mr. LeRoy presented the following:

WHEREAS, Silverline Construction Inc. has completed the construction work on the Christian Holler Road bridge project and there were some construction items including excavation, sub-base material and asphalt pavement that exceeded the original bid quantities and the Resident Engineer on site has verified all of the quantities that have been installed by the Contractor; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a supplemental agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Silverline Construction Inc. for the costs associated with the Construction items in accordance with resolution 203-09 an additional amount not-to-exceed cost of \$30,822.26; and be it further

RESOLVED, that the County Treasurer is hereby directed to amend the 2010 County Budget as follows:

A1990-CONTINGENT FUND GEN:
 \$30,822.26 from .54000 Contractual Expense
A9901-INTERFUND TRANSFERS:
 \$30,822.26 to .59300 Transfer-County Road
D5112-ROAD CONSTRUCTION:
 \$30,822.26 to .52622 CR 103 Rehab
D9999-OTHER:
 \$30,822.26 to .45031 Interfund Transfers."

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

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

RESOLUTION NO. 567-10: AUTHORIZATION TO AWARD BID FOR JANITORIAL AND CUSTODIAL SERVICES FOR THE WAYNE COUNTY HEALTH SERVICES BUILDING

Mr. LeRoy presented the following:

WHEREAS, the Clerk of the Board of Supervisors duly advertised for bids for Janitorial and Custodial Services for the Wayne County Health Services Building for the contract period of September 1, 2010 thru August 31, 2012 and the following bids were received by the deadline and opened on Monday, August 2nd, 2010, at 1:30 p.m. and the bid were received as follows below:

Bidders	Monthly Bid	Annual Bid	2 nd Yr Annual Increase %	3 rd Yr Annual Increase %	4 th Yr Annual Increase %
ABM Janitorial Services	\$ 5,884.57	\$70,614.84	2%	2%	2%

6171 Malloy Road Syracuse, NY 13057					
TEMCO Services 7374 Pittsford- Palmyra Rd Fairport, NY 14450	\$ 7,900.00	\$94,800.00	3%	3%	3%

now, therefore, be it

RESOLVED, that the annual bid submitted by ABM Janitorial Services for \$70,614.84 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 ABM Janitorial Services at a cost not to exceed the annual amount of \$70,614.84; for the contract period of September 1, 2010 thru August 31, 2012.

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

RESOLUTION NO. 568-10: AUTHORIZATION TO PAY FIFTY PERCENT OF COSTS FOR SECOND FLOOR, HEALTH BUILDING RESTROOM BUILD-OUT AND AUTHORIZE BUDGET AMENDMENT

Mr. LeRoy presented the following:

WHEREAS, increased client traffic on the second floor has brought about the need to add staff restroom facilities and the Building and Grounds Department has estimated the cost to complete the previously plumbed space to be \$25,550.00 in materials cost and the Lyons Health Initiative, owners of the building, has agreed to pay fifty percent of the total estimated cost; now, therefore, be it

RESOLVED that Wayne County will pay the remaining fifty percent of the costs not to exceed \$12,775.00; and be it further

RESOLVED, that the Buildings and Grounds Department is authorized to make the necessary materials purchases related to the project; and be it further

RESOLVED, that the County Treasurer is authorized to make the following budget adjustment:

A1615-BUILDINGS AND GROUNDS:

\$12,775.00 to .42413 Health Facility Building

\$25,550.00 to .54000 BPHRR Contractual Expense

A1990-CONTINGENT FUND GEN:

\$12,775.00 from .54000 Contractual Expense

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

RESOLUTION NO. 569-10: AUTHORIZATION TO PAY FIFTY PERCENT OF THE COST OF SECURITY SYSTEM AND INSTALLATION FOR SECOND FLOOR, HEALTH BUILDING AND THE RELATED BUDGET ADJUSTMENT

Mr. LeRoy presented the following:

WHEREAS, the Second Floor of the Health Building has been reviewed for security enhancements and five doors within the second floor need to be added in order to limit access and enhance security for the departments and the Buildings and Grounds Department has estimated the cost of these improvements, including 5 doors and trim at \$2,500.00 ea; Linstar Security System at a cost not to exceed \$15,600.00 and A & E fees for building permit at \$3,000.00 for a cost of \$31,100.00 and the Lyons Health Initiative,

owners of the building, has agreed to pay fifty percent of the cost of the project; now, therefore, be it

RESOLVED, that the Buildings and Grounds Department is authorized to complete the work required to enhance second floor security and to purchase the necessary equipment and supplies including 5 doors and trim at \$2,500.00 ea; Linstar Security System at a cost not to exceed \$15,600.00 and A & E fees for building permit at \$3,000.00 within the guidelines of the state and county procurement procedures up to a total county cost of \$15,550.00; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the agreement with Linstar Security Systems, for the purchase and installation of security components as detailed in their proposal dated May 25, 2010 as per NYS Contract #PT63106 in the amount of \$15,600.00; and be it further

RESOLVED, that the County Treasurer is hereby directed to amend the 2010 County Budget as follows:

A1615-BUILDING AND GROUNDS:

\$15,550.00 .42413 Health Facility Building

\$15,600.00 .52500 BSHAY Other Equipment

\$15,500.00 .54000 BSHAY Contractual Expense

A1990-CONTINGENT ACCOUNT:

\$15,550.00 from .54000 Contractual Expense

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

RESOLUTION NO. 570-10: AUTHORIZATION TO AMEND BUDGET, TRANSFER FUNDS AND PURCHASE FIELD SUPPLIES FOR THE SHERIFFS OFFICE

Mr. Plant presented the following:

WHEREAS, there is a need for certain field supplies to ensure the safety of members of the Sheriff's Office during times of civil unrest and there is available on state contract and a Rockland County contract said field supplies and due to the delay in the hiring of the Planner/Trainer position, Wayne County Emergency Management has funding available in the 2010 budget to obtain said field supplies and the expenditure of these funds is in accordance with NYS Executive Law Article 2-B § 29-c. Radiological Preparedness that requires Nuclear License Fee funds be used specifically for Radiological Emergency Preparedness; now, therefore, be it

RESOLVED, that the Director of Emergency Management is authorized to purchase the necessary field supplies which includes 62 Police Pro Riot Helmets at a cost of \$93.00 each and 66 pairs of shin guards at a cost of \$50 per pair for the benefit of the Sheriff's Department; and be it further

RESOLVED, that the County Treasurer is hereby directed to amend the 2010 county budget as follows:

A3640-EMERGENCY MANAGEMENT:

\$8,866.00 from .51575 EM Training Officer

\$8,866.00 to .54126 Field Supplies

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

RESOLUTION NO. 571-10: AUTHORIZATION TO AMEND BUDGET, TRANSFER FUNDS AND PURCHASE EQUIPMENT FOR THE FIRE COORDINATORS OFFICE

Mr. Plant presented the following:

WHEREAS, there is a need for a fax machine to ensure effective facsimile communications to and from the Fire Coordinators Office and there is available on state contract said equipment and due to the delay in the hiring of the Planner/Trainer position, Wayne County Emergency Management has funding available in the 2010 budget to obtain said equipment and the expenditure of these funds is in accordance with NYS Executive

Law Article 2-B § 29-c. Radiological Preparedness that requires Nuclear License Fee funds be used specifically for Radiological Emergency Preparedness; now, therefore, be it

RESOLVED, that the Director of Emergency Management is authorized to purchase the a fax machine for the benefit of the Fire Coordinators Department; and be it further

RESOLVED, that the County Treasurer is hereby directed to amend the 2010 county budget as follows:

A3640-Emergency Management:

\$350.00 from .51575 EM Training Officer

\$350.00 to .52200 Office Equipment

Mr. Miller moved, second by Mr. Lauderdale to amend the first "RESOLVED" clause as follows:

"RESOLVED, that the Director of Emergency Management is authorized to purchase the a fax machine for the benefit of the Fire Coordinators Department at a cost not to exceed \$350.00; and be it further"

Upon roll call to amend the resolution, the Chairman declared the motion carried.

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

RESOLUTION NO. 572-10: AUTHORIZATION TO EXECUTE AGREEMENTS RELATIVE TO FIRE STATION RADIO EQUIPMENT

Mr. Plant presented the following:

WHEREAS, the 29 fire departments located within Wayne County currently have installed low band base station radios, paging encoders, and antennas that are the property of the County of Wayne and the aforementioned radio equipment is scheduled to be replaced in association with the Radio Interoperability Project, with Board of Supervisors resolution 141-10 authorizing the advertisement for applicable bids for this phase of the project; and

WHEREAS, the County Attorney has recommended that agreements be executed with each owner specifying the responsibilities of each fire department (or owner), as well as the County, in relation to the installation, ownership, and ongoing maintenance of the base radios and equipment to be installed at each fire station; now, therefore, be it

RESOLVED, that the 29 fire station base radios, associated power supplies, paging encoders and antenna systems to be installed at each fire station shall remain the property of the County following installation, and following the conclusion of the current radio project; and be it further

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute agreements with each Village, fire company, fire district, or other applicable owner of each of the 29 fire departments that will receive base radios, paging encoders and associated equipment, with such agreements subject to the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 573-10: AUTHORIZATION FOR RADIO INFRASTRUCTURE UPGRADE

Mr. Plant presented the following:

WHEREAS, the County's public safety radio infrastructure audio path currently utilizes devices to perform several signal type conversions as the audio is transmitted from 911 to the tower sites and an opportunity exists for changing much of the equipment in the primary link from 911 to the Lyons tower site by utilization of a single RAD Megaplex unit at

each end, with such units already shown in our system to be more reliable than the utilization of several components to perform multiple signal conversions; and

WHEREAS, the components to be removed as a result of this conversion can be utilized at the new remote receive sites to be implemented as part of the Radio Infrastructure Project and Finger Lakes Communications, as the Contractor for the Radio Infrastructure Project, is the only firm eligible to perform the connectivity upgrade described herein; now, therefore, be it

RESOLVED, that Finger Lakes Communication Co. Inc, shall be authorized to install the equipment necessary to upgrade the signal conversions as per Finger Lakes Communications proposal 42097, at a cost not to exceed \$14,000.00, with this project to be funded through the Interoperable Communications project, H1934.

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

RESOLUTION NO. 574-10: AUTHORIZATION TO ACCEPT BID, EXECUTE CONTRACT, AND APPROPRIATE PROJECT ACCOUNT FUNDING FOR THE RADIO COMMUNICATIONS INFRASTRUCTURE PROJECT

Mr. Plant presented the following:

WHEREAS, the Clerk of the Board of Supervisors duly advertised for bids for the Mobile Radio Installation and Radio and Pager Reprogramming Project and the project includes the installation of 388 mobile radios into the police, fire, EMS and other emergency response vehicles in the county, as well as the reprogramming of agency owned mobile radios, portable radio, and pagers, and

WHEREAS, the following bids were received and reviewed by the 911 Coordinator and the Public Safety Committee:

Install Classifications	Flower City Communications 1848 Lyell Avenue Rochester, NY 14606	Finger Lakes Communication Co., Inc 305 Clark Street Auburn, NY 13021
Classification 1	\$102.00 bid price per unit	\$162.50 bid price per unit
Classification 1A	\$127.00	\$182.50
Classification 1B	\$134.00	\$179.50
Classification 2	\$187.00	\$195.00
Classification 2A	\$212.00	\$219.00
Classification 3	\$379.00	\$350.00
Classification 4	\$531.00	\$247.00
Classification 5	\$527.00	\$395.00
Classification 6	\$ 60.00 per hour	\$ 95.00 per hour

Bidder	Reprogramming Tasks / Bid Price per Unit		
	Mobile	Portable	Pager
Flower City Comm. 1848 Lyell Ave. Rochester, NY	\$15.00	\$10.00	\$10.00
Finger Lakes Comm. 305 Clark St. Auburn, NY and	\$12.50	\$12.50	\$ 8.00

WHEREAS, although the total number of radios to be installed is known to be 388, the quantities of equipment in each classification will be determined through the review of all equipment by the Contractor and the 911 Coordinator, with the only known quantity at the time of bid award being the 74 units of the Sheriff's Office, with such units all categorized as installation classification 3; now, therefore, be it

RESOLVED, that the County of Wayne hereby awards 314 of the 388 project mobile

radio installations to be performed as part of this project to Flower City Communications, awarding all bid classifications except classification 3, applicable only to the Sheriff's Office vehicles, to Flower City, and be it further

RESOLVED, that the County of Wayne hereby accepts the single classification price of \$350.00 per vehicle submitted by Finger Lakes Communications applicable to the 74 Sheriff's Office vehicles categorized as classification 3 in the Bid Documents, for a Finger Lakes Communications award price of \$25,900.00, and be it further

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute agreements between the County of Wayne and both Flower City Communications and Finger Lakes Communications, as detailed herein, relative to the aforementioned bid, with such agreements subject to the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 575-10: AUTHORIZATION TO PURCHASE PATROL CAR EQUIPMENT CONSOLES

Mr. Plant presented the following:

WHEREAS, the radios and siren / light bar controllers for the Sheriff's Office marked patrol cars are being replaced in association with the Radio Interoperability Project and to properly mount the new equipment in the vehicles, while considering the existing equipment which shall remain, such as the mobile computer and printer, an equipment console should be utilized, which will protect all equipment, while allowing for equipment controls to be located conveniently for the vehicle operators; and

WHEREAS, the Lund Industries VC2613NT console can accommodate the existing and new equipment, and will provide for ease of use of, and protection for, the equipment and the following quotes were received for the Lund VC2613NT console, with mounting brackets, and DC power outlets:

Lund Industries (purchased directly)	\$282.25
Brite Computers (utilizing NYS contract)	\$250.83
Finger Lakes Communications	\$238.25

now, therefore, be it

RESOLVED, that the 911 Coordinator shall be authorized to purchase up to 45 Lund Industries equipment consoles for installation into the Sheriff's Office patrol cars through Finger Lakes Communication Co. Inc, at a cost not to exceed \$238.25 each, with DC ports and mounting plates for the equipment to be installed, for a total cost not to exceed \$10,722.00; and be it further

RESOLVED, that the funding for the above described purchase shall be from the H1934 Radio Interoperability Project account.

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

RESOLUTION NO. 576-10: AUTHORIZATION TO AMEND THE SHERIFF'S ROAD PATROL BUDGET FOR THE PURCHASE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR (AED) FOR THE MOBILE COMMAND POST

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office maintains and operates a mobile operations center (command post) that is activated and responds to emergency scenes throughout Wayne County, which normally involves multiple agencies and in the event of an emergency incident there would be numerous emergency responders working in and around the command post, under highly stressful conditions; and

WHEREAS, in the event of a cardiac emergency there is a strong possibility that emergency care would be sought out at the command post and upon review of the command post by the Wayne County Emergency Services Coordinator, it was highly

recommended that the command post be equipped with an AED; and

WHEREAS, the standard AED used by the Sheriff's Office is the "LIFEPAK 1000" purchased under NYS contract through PHISIO-CONTROL, INC for a total price of \$2,281.20; now, therefore, be it

RESOLVED, that the Wayne County Sheriff is hereby authorized to purchase the stated AED for a price not exceed \$2,281.20; and that the Wayne County Treasurer is hereby authorized and directed to amend the 2010 County Budget as follows:

A3114 Sheriff-Road Patrol

\$2,282.00 from .52300 Motor Vehicles

\$2,282.00 to .52500 Other Equipment

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

RESOLUTION NO. 577-10: AUTHORIZATION TO ENTER INTO A PARTICIPATION AGREEMENT WITH GOVERNMENT PAYMENT SERVICE, INC FOR PROCESSING CREDIT AND DEBIT CARDS FOR INMATE BAIL

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office since 2005 has utilized the services of Government Payment Services, Inc., hereinafter known as GPS, for the processing of credit and debit cards for persons wishing to post bail for inmates incarcerated in the Wayne County Jail and the services of GPS are at no cost to Wayne County and a participation agreement needs to be entered into with GPS for continuance of the credit and debit card services at the Wayne County Jail; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors and the Wayne County Sheriff are hereby authorized and directed to execute a Participation Agreement on behalf of the County of Wayne with GPS, which shall be effective upon the date it is fully executed and in possession of GPS, automatically renewing for additional one year periods, not to exceed 5 years, and subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 578-10: AUTHORIZATION TO AMEND THE 2010 BUDGET AND PURCHASE AN OFFICE CHAIR FOR THE COUNTY AUDITOR

Mr. Hammond presented the following:

WHEREAS, the Office of the County Auditor is in need of a chair to function effectively and when the 2009 Budget was established, the equipment addendum included the projected purchase of office equipment. Some of these equipment items were not purchased in 2009 because of the County Auditor's December 2009 start date; and

WHEREAS, the 2009 unexpended budgeted equipment funds for the Office of the County Auditor totaling \$1,145 were returned to the 2010 General Fund balance and the purchase of this item will require a budget amendment to increase Account No. A1320.52200 by \$245; now, therefore, be it

RESOLVED, that the County Auditor is hereby authorized and directed to purchase one chair at the cost not to exceed \$245.00; and further

RESOLVED, that the County Treasurer is hereby directed to amend the 2010 County Budget as follows:

A1320-COUNTY AUDITOR:

\$245.00 to .52200 Office Equipment

A1990-CONTINGENT GEN FUND:

\$245.00 from .54000 Contractual Expense

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

RESOLUTION NO. 579-10: SETTING DATE FOR A PUBLIC HEARING FOR PROPOSED LOCAL LAW TO ADOPT A RETIREMENT INCENTIVE PROGRAM FOR CERTAIN ELIGIBLE EMPLOYEES OF WAYNE COUNTY

Mr. Hammond presented the following:

RESOLVED, pursuant to Section 20 of the Municipal Home Rule Law, the Board of Supervisors shall hold a public hearing on Thursday, August 19, 2010 at 9:00 a.m. in the Supervisors Chambers in the County Court House, 26 Church Street, Lyons, New York 14489, on the following proposed local law:

A Local Law adopting a Retirement Incentive Programs as authorized by Part A Chapter 105, Laws of 2010 for certain eligible employees of Wayne County.

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

Section 1. The County of Wayne hereby elects to provide eligible employees in the following job titles: one (1) Sign Maintenance Worker position, one (1) Maintenance Equipment Operator II position, two (2) Maintenance Equipment Operator I positions, two (2) Heavy Equipment Operator positions, one (1) Supervising Public Health Nurse position, one (1) Housekeeper position, one (1) Senior Audit Clerk position, one (1) Computer Programmer position, one (1) Maintenance Foreman position and one (1) Senior Cleaner Position with a retirement incentive program as authorized by Part A Chapter 105, Laws of 2010.

Section 2. The commencement date of the retirement incentive program shall be November 1, 2010.

Section 3. The open period, during which eligible employees may retire and receive the additional retirement benefits shall be 60 calendar days in length.

Section 4. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be paid as one lump sum, or in five annual installments. The amount of the annual payment shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and it shall be paid by the County of Wayne for each employee who receives the retirement benefits payable under this local law.

Section 5. This local law shall take effect on the date it is filed in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law of the State of New York.

and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to give at least five days notice of such hearing by posting such notice upon the bulletin board at the County Court House, Lyons, New York and by publishing such notice at least once (1) in the official newspapers of the County of Wayne.

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

RESOLUTION NO. 580-10: AUTHORIZE AGREEMENT WITH VILLAGE OF LYONS TO REMOVE AND TAKE TITLE OF PROPERTY FROM HOTCHKISS BUILDING

Mr. Manktelow presented the following:

WHEREAS, Wayne County ("the County") has executed an agreement with the Village of Lyons ("the Village") to transfer title of the Hotchkiss Building to the Village upon completion of a grant funded restoration project and the Village will also take title to personal property found in the building to include artifacts and furnishings and other historical items related to the manufacture of essential oils and the personal property must be removed before the County can begin construction on the Hotchkiss Building; now,

therefore, be it

RESOLVED, that the Chairman of the Board is authorized and directed to enter into an agreement with the Village of Lyons, subject to approval as to form and content by the County Attorney, to remove and take title of the personal property inside the Hotchkiss Building; and be it further

RESOLVED, that the Village shall complete the removal of the personal property no later than September 15, 2010; and be it further

RESOLVED, that removal of the personal property by the Village shall be accomplished at no cost to the County.

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

ADJOURNMENT:

The next scheduled meeting of the Board is Tuesday, September 21, 2010 at 7:00 p.m.

Mr. Plant moved, seconded by Mr. Manktelow, that the board adjourn at 10:47 a.m. Carried.

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

REQUEST TO CALL SPECIAL MEETING

To the Clerk of the Board of Supervisors:

You are hereby directed to call a Special Meeting of the Board of Supervisors of Wayne County, New York, to be held in the Supervisors' Chambers in the Court House in the Village of Lyons, New York, on Thursday, August 19, 2010 at 9:00 a.m., for the following purposes:

FIRST: Public Hearing for a Proposed Local Law to Adopt a Retirement Incentive Program as Authorized by Part A, Chapter 105, Laws of 2010 for Certain Eligible Employees of Wayne County.

SECOND: To hear, consider and act upon any other matter which may be brought to the Board in the same manner and to the same effect as if the Board were convened in regular session.

Dated at Lyons, New York
August 10, 2010

James D. Hoffman, Chairman
Wayne County Board of Supervisors

NOTICE OF SPECIAL MEETING

State of New York
Wayne County

Office of the Clerk of the Board of Supervisors

Upon direction of the Chairman of the Board of Supervisors of the County of Wayne, I do hereby call a Special Meeting of the Board of Supervisors of Wayne County,

New York, to be held in the First Floor Conference Room of the Court House in the Village of Lyons, New York, on Thursday, August 19, 2010 at 9:00 a.m., for the following purposes:

FIRST: PUBLIC HEARING – 9:00 A.M.

The Board is holding this hearing for a Proposed Local Law to Adopt a Retirement Incentive Program as Authorized by Part A, Chapter 105, Laws of 2010 for Certain Eligible Employees of Wayne County

SECOND: To hear, consider and act upon any other matter which may be brought to the Board in the same manner and to the same effect as if the Board were convened in regular session.

Dated at Lyons, New York
August 10, 2010

Sandra J. Sloane, Clerk
Wayne County Board of Supervisors

15th Day
Thursday, August 19, 2010
9:00 a.m.

The Board met pursuant to call, Chairman Hoffman presiding.
The Pledge of Allegiance was led by Supervisor Spickerman.
Upon roll call, all Supervisors were present, except Supervisor Manktelow who was absent.

County Administrator James Marquette and County Attorney Daniel Wyner were also in attendance of this special session of the board.

UNFINISHED BUSINESS:

Mrs. Collier made a motion to remove Resolution No. 556-10 from the table. Seconded by Mr. Lauderdale. Motion carried.

RESOLUTION NO. 556-10: AUTHORIZE THE BOARD OF ELECTIONS TO RENT A TRUCK TO TRANSPORT LEVER VOTING MACHINES (DEFEATED – August 19, 2010)

Mrs. Collier presented the following:

WHEREAS, the County has the responsibility for the lever voting machines which are no longer approved for use in elections; and these lever voting machines are located in the towns where they were previously used and it is necessary to pickup these voting machine equipment and transport them to a County storage facility and the County does not possess the necessary truck with a hydraulic lift gate; now, therefore, be it

RESOLVED, that the Board of Elections is hereby authorized to rent a suitable truck to transport used voting equipment to a County storage facility at a cost not to exceed \$400.00.

Supervisor Collier called for a long roll on this resolution, seconded by Mr. Lauderdale. Upon roll call, all Supervisors voted Nay except Supervisors Spickerman and Groat who voted Aye. Absent – Supervisor Manktelow. The Chairman declared the resolution defeated.

SCHEDULED BUSINESS:

PUBLIC HEARING – 9:00 A.M.

Prior to the Clerk reading the scheduled Public Hearing, Chairman Hoffman informed the attending members of the public the Board's procedures that are followed for all hearings.

COUNTY OF WAYNE

NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAW

NOTICE IS HEREBY GIVEN that the Wayne County Board of Supervisors will hold a public hearing on Thursday, August 19, 2010, at 9:00 a.m. in the Supervisors Chambers in the County Court House, 26 Church Street, Lyons, New York, on the following proposed local law:

COUNTY OF WAYNE - STATE OF NEW YORK

A Local Law adopting a Retirement Incentive Program as authorized by Part A Chapter 105, Laws of 2010 for certain eligible employees of Wayne County.

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

SECTION 1. The County of Wayne hereby elects to provide eligible employees in the following job titles: one (1) Sign Maintenance Worker position, one (1) Maintenance Equipment Operator II position, two (2) Maintenance Equipment Operator I positions, two (2) Heavy Equipment Operator positions, one (1) Supervising Public Health Nurse position, one (1) Housekeeper position, one (1) Senior Audit Clerk position, one (1) Computer Programmer position, one (1) Maintenance Foreman position and one (1) Senior Cleaner Position with a retirement incentive program as authorized by Part A Chapter 105, Laws of 2010.

SECTION 2. The commencement date of the retirement incentive program shall be November 1, 2010.

SECTION 3. The open period, during which eligible employees may retire and receive the additional retirement benefits, shall be 60 calendar days in length.

SECTION 4. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be paid as one lump sum, or in five annual installments. The amount of the annual payment shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and it shall be paid by the County of Wayne for each employee who receives the retirement benefits payable under this local law.

SECTION 5. This local law shall take effect on the date it is filed in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law of the State of New York.

Dated: August 11, 2010
Lyons, New York

Sandra J. Sloane, Clerk
Wayne County Board of Supervisors

The Chairman opened the floor for public comment at 9:07 a.m., requesting that persons interested in addressing the Board with their comments to come forth to the podium. There being no comments, Chairman Hoffman requested a motion to close the hearing.

At 9:08 a.m., Mr. Miller moved, seconded by Mr. Lauderdale, that the hearing be closed. Upon roll call, carried.

Mr. Plant moved, seconded by Mr. LeRoy that four (4) resolutions be allowed on the floor under Other Business. Upon roll call, carried.

RESOLUTION NO. 581-10: ADOPTION OF LOCAL LAW TO ADOPT A RETIREMENT INCENTIVE PROGRAM AS AUTHORIZED BY PART A CHAPTER 105, LAWS OF 2010 FOR CERTAIN ELIGIBLE EMPLOYEES OF WAYNE COUNTY

Mrs. Collier presented the following:

WHEREAS, a proposed local law in relation to adopting a Retirement Incentive Program as authorized by Part A Chapter 105, Laws of 2010 for certain eligible employees of Wayne County, was presented to the Board of Supervisors on August 9, 2010 and a public hearing on the proposed local law was held by the Board of Supervisors on August 19, 2010, in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore, be it

RESOLVED, that said local law is hereby adopted to read as follows:

COUNTY OF WAYNE - STATE OF NEW YORK

"A Local Law adopting a Retirement Incentive Program as authorized by Part A Chapter 105, Laws of 2010 for certain eligible employees of Wayne County.
BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, as follows:

SECTION 1. The County of Wayne hereby elects to provide eligible employees in the following job titles: one (1) Sign Maintenance Worker position, one (1) Maintenance Equipment Operator II position, two (2) Maintenance Equipment Operator I positions, two (2) Heavy Equipment Operator positions, one (1) Supervising Public Health Nurse position, one (1) Housekeeper position, one (1) Senior Audit Clerk position, one (1) Computer Programmer position, one (1) Maintenance Foreman position and one (1) Senior Cleaner Position with a retirement incentive program as authorized by Part A Chapter 105, Laws of 2010.

SECTION 2. The commencement date of the retirement incentive program shall be November 1, 2010.

SECTION 3. The open period, during which eligible employees may retire and receive the additional retirement benefits shall be 60 calendar days in length.

SECTION 4. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be paid as one lump sum, or in five annual installments. The amount of the annual payment shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and it shall be paid by the County of Wayne for each employee who receives the retirement benefits payable under this local law.

SECTION 5. This local law shall take effect on the date it is filed in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law of the State of New York."

and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to number

the local law in conformance with the filing requirements of the Secretary of State and to file the local law with the Secretary of State in accordance with the provisions of the Municipal Home Rule Law of the State of New York.

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

Mr. Kelsch asked if there was a decision as to what payment option the County would be taking to reimburse the state retirement system for the five year buyout necessary for this incentive program.

County Administrator Marquette responded by informing the Board that they are considering the five-year buyout option as the county has not appropriated 2010 funds for the county to process a the lump-sum payment to the state. Further it is too early to determine how much this will cost the County as we do not know how many eligible employees will be taking advantage of this retirement incentive.

Mr. Marquette answered other questions pertaining to this issue and stated that since it is the County's responsibility to make these payments, it should be the Board's decision to select the option best suited for the overall budget.

The Chairman called for a vote. Upon roll call, adopted.

RESOLUTION NO. 582-10: AUTHORIZATION TO ADVERTISE FOR FULL TIME PUBLIC DEFENDER POSITION

Mrs. Collier presented the following:

WHEREAS, Resolution No. 330-10 created the full time Public Defender position effective January 1, 2011 and a Search Committee has been appointed and it is prudent to begin the recruitment process as soon as possible in order to fill the position on January 1, 2011; now, therefore, be it

RESOLVED, that the advertisement for and recruitment of applicants for the Public Defender position is hereby authorized.

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

RESOLUTION NO. 583-10: SETTING DATE FOR PUBLIC HEARING ON PROPOSED LOCAL LAW AMENDING LOCAL LAW NO. 7-89, AS AMENDED BY LOCAL LAW NO. 3-91 ESTABLISHING A PLAN FOR THE MANAGEMENT OF SOLID WASTE GENERATED OR ORIGINATED IN THE COUNTY OF WAYNE

Mr. Spickerman presented the following:

WHEREAS, the Board of Supervisors seeks public input on a proposed change from its current recycling program to require the collection of recycling by private haulers in Wayne County as a condition of their license to collect municipal solid waste; now, therefore, be it

RESOLVED, pursuant to Section 20 of the Municipal Home Rule Law of the State of New York, that a public hearing on the proposed local law set forth below shall be held by the Board of Supervisors on Thursday, September 9, 2010 at 7:00 p.m. in the Supervisors' Chambers in the County Court House, Lyons, New York; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to give at least five days notice of such hearing by posting such notice upon the bulletin board at the Court House, Lyons, New York, and by publishing such notice at least once in the official newspapers of the County.

SOLID WASTE MANAGEMENT LAW

A local law amending Local Law No. 7-89 as amended by Local Law No. 3-91 establishing a plan for the Management of Solid Waste generated or originated in the County of Wayne.

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

SECTION 1: Section II of Local Law No. 7-89 as amended by Local Law No. 3-91 is amended to read as follows:

Section II. Purposes

This law is adopted pursuant to Chapter 627 of the Laws of 1986 of the State of New York to:

- A. Implement a plan for the management of solid waste generated or originated in the County of Wayne, to promote the safety, health and well-being of persons and property within the County of Wayne; and to
- B. Implement the express policy of the State of New York encouraging solid waste volume reduction through recycling.

SECTION 2: Section III of Local Law No. 7-89 as amended by Local Law No. 3-91 is amended to read as follows:

Section III. Definitions

Acceptable Solid Waste means all solid waste which is not hazardous waste, designated recyclable material or unprocessable waste.

Board of Supervisors means the Board of Supervisors of the County of Wayne.

County means the County of Wayne.

Designated Recyclable Materials means recyclable materials designated for source separation by rules and regulations promulgated pursuant to Section IV(A)(2) of this law.

Facility means any properly permitted solid waste management-resource recovery facility employed beyond the initial solid waste collection process which is to be used, occupied or employed for or is incidental to the receiving, transporting, storage, processing, or disposal of solid waste or the recovery by any means of any material or energy product or resource there from including recycling centers, transfer stations, processing systems, resource recovery facilities, sanitary landfills, plants and facilities for composting or land spreading of solid waste, secure land burial facilities, reprocessing and recycling facilities, surface impoundments and waste oil storage, incinerators, and other solid waste disposal, reduction or conversion facilities.

Hazardous Waste means:

1. Waste which appears on the list of hazardous waste promulgated by the Commissioner of the Department of Environmental Conservation pursuant to Section 27-0903 of the Environmental Conservation Law and the regulations there under or waste which exhibits any of the characteristics of hazardous waste identified in 6 N.Y.C.R.R. §371.3.
2. Special nuclear or by-product material within the meaning of the Atomic Energy Act of 1954, as amended.

Person means any natural person, partnership, association, joint venture, corporation, estate, trust, county, city, town, village, improvement district, governmental entity or other legal entity.

Recyclable Materials means solid waste which can be recycled.

Recycling or Recycled means any method, technique or process utilized to separate, process, modify, convert, treat or otherwise prepare solid waste so that its component materials or substances may be beneficially used or reused as raw materials.

Solid Waste means all putrescible and non-putrescible solid wastes generated or originated within the County, including, but not limited to, materials, or substances discarded or rejected, whether as being spent, useless, worthless or in excess to the owners at the time of such discard or rejection or for any other reason, or are being accumulated, stored, or physically, chemically or biologically treated prior to being discarded, have served their intended use, or are a manufacturing by-product, including, but not limited to, garbage, refuse, and other discarded solid materials, including solid waste materials resulting from industrial, commercial and agricultural operations and from community activities, sludges from air or water pollution control facilities or water supply treatment facilities, rubbish, ashes, contained gaseous material, incinerator residue, demolition and construction debris or offal, but not including sewage and other highly diluted water-carried materials or substances and those in gaseous form, or hazardous waste as defined in this law.

Solid Waste Volume Reduction Program includes source separation, recycling programs, changes to the packaging portion of the waste stream to reduce solid waste generated, the activities and enterprises of scrap dealers, processors and consumers and other programs designed to reduce the volume of solid waste or enhance reclamation and recovery of materials. For purposes of this paragraph, such volume reduction programs shall not include the processing of waste for incineration or disposal by other means.

Source Separation means the segregation of recyclable materials from solid waste at the point of generation for separate collection, sale or other disposition.

Unprocessable Waste means (a) dirt, concrete and other non-burnable construction material and demolition debris; (b) refrigerators, washing machines and similar "white goods"; (c) large items of machinery and equipment, such as motor vehicles and major components thereof (e.g., transmissions, rear ends, springs and fenders), agricultural equipment, trailers and marine vessels, or any other item of waste exceeding six feet in any one of its dimensions; and (d) liquid waste, large concentrations of plastics other than PET and HPDE containers, explosives, oil, sludges, highly inflammable substances, tires, ashes, contained gaseous materials, incinerator residue, and offal.

SECTION 3: Section IV of Local Law No. 7-89 as amended by Local Law No. 3-91 is amended to read as follows:

Section IV. Powers of the Board of Supervisors/Delegation of Powers

- A. The Board of Supervisors is authorized and empowered to:
1. Promulgate and publish rules and regulations from time to time which aid in identifying and defining categories of solid waste, including acceptable solid waste, recyclable materials and unprocessable solid waste.
 2. Promulgate and publish rules and regulations for a program to implement source separation of recyclable materials and encourage solid waste volume reduction and to maximize the opportunity for the reclamation and recovery of materials. These rules and regulations shall designate recyclable materials to be source separated and prescribe methods of source

separation, and may reflect local differences in population density, accessibility and capacity of markets and facilities, collection practices and waste composition. In promulgating such rules and regulations, the Board of Supervisors or its designee shall also consider other on going, proposed or reasonably anticipated future solid waste volume reduction programs and shall not interfere with them.

3. Approve, deny, suspend or revoke Solid Waste licenses or subject a license holder to reprimand, as provided in Section VI.
4. Promulgate, revise, amend, and publish rules, regulations, and orders necessary to carry out the purposes of this law.

SECTION 4: Section V of Local Law No. 7-89 as amended by Local Law No. 3-91 is amended to read as follows:

Section V. Waste Delivery and Disposal: Source Separation

- A. Subject to promulgation of applicable rules and regulations pursuant to Section IV(A) of this local law, all acceptable solid waste generated or originated within the County must be delivered to a facility.
- B. Designated recyclable materials shall not be commingled with other solid waste, and shall be handled as follows:
 1. Prior to initial collection or transport, designated recyclable materials shall be separated, prepared, and set out for collection as provided in the rules and regulations promulgated pursuant to Section IV of this law.
 2. Designated recyclable materials shall not be commingled with other solid waste during collection, transportation or storage following collection. The Board of Supervisors or its designee may order such exceptions as they may reasonable determine to be in the pubic interest.
- C. Any recyclable materials generated or originated in the County may be delivered to a solid waste volume reduction program. All designated recyclable materials must be delivered to either a solid waste volume reduction program or a facility.
- D. Each commercial and residential waste generator in the County shall provide for the removal of recyclables from the property on which they are generated either through a service provided by a private hauler; or by direct haul by the individual waste generator to a disposal location permitted by law.
- E. No person shall dispose of solid waste along the roadside or on public or private property within the County, unless the owner of the property has given his consent, in which case the property owner assumes responsibility for proper disposal of the material.

SECTION 5: Section VI of Local Law No. 7-89 as amended by Local Law No. 3-91 is amended to read as follows:

Section VI. License Requirement

- A. Except as otherwise provided in this Section VI or in the rules and regulations promulgated pursuant to Section IV of this law, no person may engage in the business of collecting, transporting or handling solid waste generated or originated within the County without a solid waste license issued by the Board of Supervisors or its designee pursuant to this law, provided that only persons who collect, transport or handle solid waste for compensation shall be required to obtain a solid

waste license.

- B. Persons engaged solely in recycling or a solid waste volume reduction program shall be required to register at no cost with the Board of Supervisors or its designee.
- C. All applications for licenses or renewal of licenses shall be in writing, on a permit application form provided by the County and shall contain such information as required by the rules and regulations promulgated pursuant to this law and shall be verified by the applicant.
- D. This form shall contain or be accompanied by, at a minimum, the following information and items:
 - 1. Name of applicant, street address, and mailing address of principal place of business. Person or persons desiring a permit shall explain ownership interest. Partnerships, corporations or other business entities shall furnish names and mailing addresses of principal owners, officers, managers and supervisors who will be in charge of the operations within the County.
 - 2. A full description of all collection vehicles and equipment owned, leased, or controlled by the applicant which will be used in the collection, transportation and/or disposal of solid waste and/or recyclables generated, originated or brought within the County.
 - 3. Detailed listings of any previous or existing enforcement actions by any environmental regulatory agency for violations of rules relating to solid waste and/or recyclable handling, transport or disposal.
 - 4. A signed letter of certification, that the applicant has read and is familiar with the terms and conditions of the permit and the provisions of this Local Law; including the Recycling Rules and Regulations (Appendix I) and the Permit Rules and Regulations (Appendix II) that the applicant agrees to operate in accordance with such terms and conditions in the event a permit is issued, and that all the information provided by the applicant is factual.
 - 5. All persons engaged solely in recycling or a solid waste volume reduction program must maintain all records and supply the Board of Supervisors or its designee with a quarterly report of its activities. Such quarterly report shall include: the tonnage of Recyclables collected in the County and the dates collected; and the market(s) for the Recyclables collected in the County.
 - 6. A signed letter of certification of ultimate disposal sites for recyclable materials as well as solid waste.
- E. Within ten days of receipt of the properly completed and signed application, the Board of Supervisors or its designee shall either issue a license or inform the applicant in that the license applied for has been denied with an explanation for the denial. The decision shall be sent to the applicant by certified mail.
- F.
 - 1. When the Board of Supervisors or its designee determines that a failure to comply with solid waste license conditions in Section VII(B) of this law may have occurred it shall recommend that the solid waste license application be granted with conditions or denied, or the existing solid waste license be granted with conditions, suspended, revoked or its holder subjected to a reprimand. Notice and an opportunity to be heard shall be provided prior to the denial of a solid waste license application, the suspension or revocation of a solid waste license, or the issuance of a reprimand.
 - 2. The Board of Supervisors or its designee shall notify the affected solid waste license applicant or licensee of the alleged failure in writing. The notice shall include:

- a. a statement of time, place, and nature of the hearing;
 - b. a statement of the solid waste license condition allegedly violated, referring to the pertinent law, rule or regulation; and
 - c. a short and plain statement of the alleged misconduct.
- The notice shall be personally served or sent by registered mail to the applicant or licensee's last known address.
- 3. Hearings
 - a. Hearings shall be held before the Board of Supervisors or its designee within a reasonable period, which shall be at least ten (10) days after the service of the notice.
 - b. The applicant or licensee may be represented by counsel at the hearing, and may offer evidence and cross-examine witnesses.
 - c. Within twenty (20) days after the close of the hearing, the Board of Supervisors or its designee shall:
 - i. determine whether the alleged failure to comply with a solid waste license condition has occurred; and
 - ii. if it is determined that such a failure has occurred, decide whether the solid waste license application shall be denied, or an existing solid waste license shall be suspended, revoked, or its holder subjected to a reprimand; and issue an order carrying out its decisions; and
 - iii. if it is determined that such a failure has not occurred, the Board of Supervisors or its designee shall approve the issuance of a solid waste license.
 - 4. Determination, Decisions and Orders.
 - a. Disposition may be made by stipulation, agreed settlement, consent order, default or other informal method.
 - b. A final determination, decision or order adverse to a party shall be in writing and shall include a statement of facts and reasons supporting the determination, decision or order.
 - 5. The Board of Supervisors or its designee shall promptly notify the applicant or licensee in writing of its final determination, decision or order. Such determination, decision or order shall become effective fifteen (15) days after the date of service or mailing.
 - 6. Renewal licenses shall be applied for and issued in the same manner and subject to the same requirements as original licenses, and also shall be subject to any additional requirements in effect at the time of application for renewal. A complete and timely submitted application for renewal shall result in the applicant's existing license remaining in effect until the renewal application is acted upon by the Board of Supervisors or its designee.
 - 7. Failure to pay fees and charges as established from time to time shall constitute a violation of this law.

SECTION 6: Section VII of Local Law No. 7-89 as amended by Local Law No. 3-91 is amended to read as follows:

Section VII. Issuance and Conditions of Solid Waste License

A. Solid Waste License Issuance

- 1. Solid waste licenses must be obtained and renewed annually from the County.
- 2. The solid waste license fee for each vehicle used to collect or transport solid waste by or on behalf of the licensee shall be established by resolution of the

Board of Supervisors.

3. A solid waste license sticker shall be prominently displayed on each vehicle operated by or on behalf of the licensee as provided by the rules and regulations.

B. Conditions of Solid Waste License

Solid waste licenses and renewals shall be subject to the following conditions:

1. All licensees must comply with this law and the rules, regulations, and orders promulgated pursuant to this law.
2. All licensees, as a term and condition of being issued a solid waste license, shall agree to defend, indemnify and hold harmless the County of Wayne for any pending, threatened or actual claims, liability or expenses arising from waste disposal by the licensee in violation of this law.
3. All Waste Haulers in the County shall offer or cause to be offered to their customer's collection, transportation and service for Recyclables to the same extent any such waste hauler offers collection, transportation and disposal services for solid waste.
4. All Waste Haulers must maintain all records and supply the Board of Supervisors or its designee with a quarterly report of its activities. Such quarterly report shall include: the tonnage of Solid Waste collected in the County and the dates collected in the County; the location of disposal of Solid Waste collected in the County; the tonnage of Recyclables collected in the County and the dates collected; and the market(s) for the Recyclables collected in the County.
5. Quarterly reports shall be provided no later than thirty (30) days after the end of the quarter with the first quarter being January, February and March; the second quarter being April, May and June; the third quarter being July, August and September; and the fourth quarter being October, November and December.

SECTION 7: Section IX of Local Law No. 7-89 as amended by Local Law No. 3-91 is amended to read as follows:

Section IX. Civil remedies: Criminal Penalties

A. Civil Remedies

The County may commence a civil action to enjoin or otherwise remedy any failure to comply with this law or the rules, regulations and orders promulgated pursuant to this law.

B. Criminal Penalties

1. Failure to comply with the rules and regulations promulgated pursuant to Section IV(A) subparagraphs 1 and 2 of this law or with the provisions of Section V(B)(1) of this local law shall be a violation as defined in Section 55.10 of the Penal Law. Any person convicted of such a violation shall be liable for:
 - a. A fine of \$25.00 for the first conviction;
 - b. A fine of \$50.00 for the second conviction
 - c. A fine of \$100.00 for the third conviction
 - d. fine of \$250.00 for the fourth conviction and each succeeding conviction; or
 - e. Imprisonment for a term not to exceed fifteen days.

Each day such violation occurs or continues shall constitute a separate offense.

2. Failure to comply with Sections V(A), V(B)(2) V(C), VI(A) of this local law shall be a violation as defined in Section 55.10 of the Penal Law. Any person convicted of such a violation shall be liable for:
 - a. A fine of \$250.00 for the first conviction;
 - b. A fine of \$500.00 for the second conviction and each succeeding conviction; or
 - c. Imprisonment for a term not to exceed fifteen days.

Each day such violation occurs or continues shall constitute a separate offense.

- C. Any penalties or damages recovered or imposed under this law are in addition to any other remedies available at law or equity.

SECTION 8: Section X of Local Law No. 7-89 as amended by Local Law No. 3-91 is repealed in its entirety.

SECTION 9: Section XI of Local Law No. 7-89 as amended by Local Law No. 3-91 is renumbered section X.

SECTION 10: Section XII of Local Law No. 7-89 as amended by Local Law No. 3-91 is renumbered section XI.

SECTION 11: Section XIII of Local Law No. 7-89 as amended by Local Law No. 3-91 is repealed and replaced with a new Section XII which reads as follows:

Section XII: Effective Date

The provisions of this Law shall become effective on January 1, 2011. The Clerk of the Board of Supervisors shall give notice of the effective date of this local law by publishing notice thereof at least once in the official newspapers of the County, not less than thirty (30) days prior to said effective date.

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

RESOLUTION NO. 584-10: AUTHORIZATION TO CREATE THREE TEMPORARY REGISTERED NURSE POSITIONS FOR CERTIFIED HOME HEALTH AGENCY AND AMEND THE 2010 BUDGET.

Ms. Park presented the following:

WHEREAS, staffing issues due to resignations in the Certified Home Health Agency (CHHA) have occurred and recruiting efforts continue for full time staff, but it is necessary to utilize temporary staff to provide services; and because of the vacancies, there are sufficient funds to hire temporary Registered Nurses and in response to this need, the Director of Public Health, would like to create three (3) temporary Registered Nurse positions to assist with daily and weekend patient coverage as needed at an hourly rate of \$27.19; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to create three (3) temporary Registered Nurse positions to assist with patient coverage at an hourly rate of \$27.19; and be it further

RESOLVED, that the Treasurer is hereby authorized to amend the 2010 budget as follows:

A4019 – Wayne Community Nursing Care
\$50,100 from .51302 Public Health Nurse
\$50,100 to .51585 RPN-Temporary

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

Mr. Plant questioned why we were filling these positions if we do not know the future is of this program.

Ms. Park, Committee Chairperson of the Health and Medical Services Committee, stated that we are filling these positions to fulfill our obligation to fully staff our active client list that requires needed home care.

Diane Devlin, Director of Public Health, addressed the Board to state that she will have a difficult time filling these positions as qualified nurses as well as the public know that we are considering the termination of the CHHA program.

Mr. Spickerman added that we should support these nursing positions to do the best job possible until we decide on the future of this program.

Mr. Miller questioned the hourly rate and the amount needed for this budget transfer. Ms. Devlin noted that the amount requested for this transfer will support the proposed temporary positions through the end of the year.

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

Mr. Marquette wanted to confirm with Board members that earlier this week he electronically distributed information pertaining to recycling. He added that if Board members had any questions regarding this matter to please contact him.

ADJOURNMENT:

The Chairman announced that the next scheduled meeting of the Board is Tuesday, September 21, 2010 at 7:00 p.m. and noted that this is an evening session.

Ms. Park moved, seconded by Mrs. Bender, that the board adjourn this session at 9:22 a.m. Carried.

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

REQUEST TO CALL SPECIAL MEETING

To the Clerk of the Board of Supervisors:

You are hereby directed to call a Special Meeting of the Board of Supervisors of Wayne County, New York, to be held in the Supervisors' Chambers in the Court House in the Village of Lyons, New York, on Thursday, September 9, 2010 at 7:00 p.m., for the following purposes:

- FIRST: Public Hearing for proposed Local Law amending Local Law No. 7-89 as amended by Local Law No. 3-91, establishing a plan for the Management of Solid Waste generated or originated in the County of Wayne.
- SECOND: To hear, consider and act upon any other matter which may be brought to the Board in the same manner and to the same effect as if the Board were convened in regular session.

Dated at Lyons, New York
August 25, 2010

James D. Hoffman, Chairman
Wayne County Board of Supervisors

NOTICE OF SPECIAL MEETING

State of New York
Wayne County

Office of the Clerk of the Board of Supervisors

Upon direction of the Chairman of the Board of Supervisors of the County of Wayne, I do hereby call a Special Meeting of the Board of Supervisors of Wayne County, New York, to be held in the Supervisors' Chambers in the Court House in the Village of Lyons, New York, on Thursday, September 9, 2010 at 7:00 p.m., for the following purposes:

- FIRST: Public Hearing for proposed Local Law amending Local Law No. 7-89 as amended by Local Law No. 3-91, establishing a plan for the Management of Solid Waste generated or originated in the County of Wayne.
- SECOND: To hear, consider and act upon any other matter which may be brought to the Board in the same manner and to the same effect as if the Board were convened in regular session.

Dated at Lyons, New York
August 25, 2010

Sandra J. Sloane, Clerk
Wayne County Board of Supervisors

16th Day
Thursday, September 9, 2010
7:00 p.m.

The Board met pursuant to call, Chairman Hoffman presiding.
The meeting was opened with the Pledge of Allegiance, led by Supervisor Spickerman.

Upon roll call, all Supervisors were present, including County Administrator James Marquette and County Attorney Daniel Wyner for this special evening session of the board.

APPROVAL OF MINUTES:

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

PRIVILEGE OF THE FLOOR:

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

SCHEDULED BUSINESS:

PUBLIC HEARING – 7:00 P.M.

Prior to the opening of the scheduled hearing, Chairman Hoffman informed the attending members of the public of the Board's procedures that are followed for all hearings.

The Clerk distributed copies of the proposed local law prior to the beginning of the meeting and read the beginning of the notice on schedule.

COUNTY OF WAYNE

NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAW

NOTICE IS HEREBY GIVEN that the Wayne County Board of Supervisors will hold a public hearing on Thursday, September 9, 2010, at 7:00 p.m. in the Supervisors Chambers in the County Court House, 26 Church Street, Lyons, New York, on the following proposed local law:

COUNTY OF WAYNE - STATE OF NEW YORK

A local law amending Local Law No. 7-89 as amended by Local Law No. 3-91 establishing a plan for the Management of Solid Waste generated or originated in the County of Wayne.

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

SECTION 1: Section II of Local Law No. 7-89 as amended by Local Law No. 3-91 is amended to read as follows:

Section II. Purposes

This law is adopted pursuant to Chapter 627 of the Laws of 1986 of the State of New York to:

- A. Implement a plan for the management of solid waste generated or originated in the County of Wayne, to promote the safety, health and well-being of persons and property within the County of Wayne; and to
- B. Implement the express policy of the State of New York encouraging solid waste volume reduction through recycling.

SECTION 2: Section III of Local Law No. 7-89 as amended by Local Law No. 3-91 is amended to read as follows:

Section III. Definitions

Acceptable Solid Waste means all solid waste which is not hazardous waste, designated recyclable material or unprocessable waste.

Board of Supervisors means the Board of Supervisors of the County of Wayne.

County means the County of Wayne.

Designated Recyclable Materials means recyclable materials designated for source separation by rules and regulations promulgated pursuant to Section IV (A) (2) of this law.

Facility means any properly permitted solid waste management-resource recovery facility employed beyond the initial solid waste collection process which is to be used, occupied or employed for or is incidental to the receiving, transporting, storage, processing, or disposal of solid waste or the recovery by any means of any material or energy product or resource there from including recycling centers, transfer stations, processing systems, resource recovery facilities, sanitary landfills, plants and facilities for composting or land spreading of solid waste, secure land burial facilities, reprocessing and recycling facilities, surface impoundments and waste oil storage, incinerators, and other solid waste disposal, reduction or conversion facilities.

Hazardous Waste means:

1. Waste which appears on the list of hazardous waste promulgated by the Commissioner of the Department of Environmental Conservation pursuant to

Section 27-0903 of the Environmental Conservation Law and the regulations there under or waste which exhibits any of the characteristics of hazardous waste identified in 6 N.Y.C.R.R. §371.3.

2. Special nuclear or by-product material within the meaning of the Atomic Energy Act of 1954, as amended.

Person means any natural person, partnership, association, joint venture, corporation, estate, trust, county, city, town, village, improvement district, governmental entity or other legal entity.

Recyclable Materials means solid waste which can be recycled.

Recycling or Recycled means any method, technique or process utilized to separate, process, modify, convert, treat or otherwise prepare solid waste so that its component materials or substances may be beneficially used or reused as raw materials.

Solid Waste means all putrescible and non-putrescible solid wastes generated or originated within the County, including, but not limited to, materials, or substances discarded or rejected, whether as being spent, useless, worthless or in excess to the owners at the time of such discard or rejection or for any other reason, or are being accumulated, stored, or physically, chemically or biologically treated prior to being discarded, have served their intended use, or are a manufacturing by-product, including, but not limited to, garbage, refuse, and other discarded solid materials, including solid waste materials resulting from industrial, commercial and agricultural operations and from community activities, sludges from air or water pollution control facilities or water supply treatment facilities, rubbish, ashes, contained gaseous material, incinerator residue, demolition and construction debris or offal, but not including sewage and other highly diluted water-carried materials or substances and those in gaseous form, or hazardous waste as defined in this law.

Solid Waste Volume Reduction Program includes source separation, recycling programs, changes to the packaging portion of the waste stream to reduce solid waste generated, the activities and enterprises of scrap dealers, processors and consumers and other programs designed to reduce the volume of solid waste or enhance reclamation and recovery of materials. For purposes of this paragraph, such volume reduction programs shall not include the processing of waste for incineration or disposal by other means.

Source Separation means the segregation of recyclable materials from solid waste at the point of generation for separate collection, sale or other disposition.

Unprocessable Waste means (a) dirt, concrete and other non-burnable construction material and demolition debris; (b) refrigerators, washing machines and similar "white goods"; (c) large items of machinery and equipment, such as motor vehicles and major components thereof (e.g., transmissions, rear ends, springs and fenders), agricultural equipment, trailers and marine vessels, or any other item of waste exceeding six feet in any one of its dimensions; and (d) liquid waste, large concentrations of plastics other than PET and HPDE containers, explosives, oil, sludges, highly inflammable substances, tires, ashes, contained gaseous materials, incinerator residue, and offal.

2. Promulgate and publish rules and regulations for a program to implement source separation of recyclable materials and encourage solid waste volume reduction and to maximize the opportunity for the reclamation and recovery of materials. These rules and regulations shall designate recyclable materials to be source separated and prescribe methods of source separation, and may reflect local differences in population density, accessibility and capacity of markets and facilities, collection practices and waste composition. In promulgating such rules and regulations, the Board of Supervisors or its designee shall also consider other on going, proposed or reasonably anticipated future solid waste volume reduction programs and shall not interfere with them.

3. Approve, deny, suspend or revoke Solid Waste licenses or subject a license holder to reprimand, as provided in Section VI.

4. Promulgate, revise, amend, and publish rules, regulations, and orders necessary to carry out the purposes of this law.

SECTION 4: Section V of Local Law No. 7-89 as amended by Local Law No. 3-91 is amended to read as follows:

Section V. Waste Delivery and Disposal: Source Separation

- B. Subject to promulgation of applicable rules and regulations pursuant to Section IV (A) of this local law, all acceptable solid waste generated or originated within the County must be delivered to a facility.
- B. Designated recyclable materials shall not be commingled with other solid waste, and shall be handled as follows:
 1. Prior to initial collection or transport, designated recyclable materials shall be separated, prepared, and set out for collection as provided in the rules and regulations promulgated pursuant to Section IV of this law.
 2. Designated recyclable materials shall not be commingled with other solid waste during collection, transportation or storage following collection. The Board of Supervisors or its designee may order such exceptions as they may reasonably determine to be in the public interest.
- C. Any recyclable materials generated or originated in the County may be delivered to a solid waste volume reduction program. All designated recyclable materials must be delivered to either a solid waste volume reduction program or a facility.
- D. Each commercial and residential waste generator in the County shall provide for the removal of recyclables from the property on which they are generated either through a service provided by a private hauler; or by direct haul by the individual waste generator to a disposal location permitted by law.
- E. No person shall dispose of solid waste along the roadside or on public or private property within the County, unless the owner of the property has given his consent, in which case the property owner assumes responsibility for proper disposal of the material.

SECTION 5: Section VI of Local Law No. 7-89 as amended by Local Law No. 3-91 is amended to read as follows:

Section VI. License Requirement

- A. Except as otherwise provided in this Section VI or in the rules and regulations promulgated pursuant to Section IV of this law, no person may engage in the business of collecting, transporting or handling solid waste generated or originated within the County without a solid waste license issued by the Board of Supervisors or its designee pursuant to this law, provided that only persons who collect, transport or handle solid waste for compensation shall be required to obtain a solid waste license.
- B. Persons engaged solely in recycling or a solid waste volume reduction program shall be required to register at no cost with the Board of Supervisors or its designee.
- C. All applications for licenses or renewal of licenses shall be in writing, on a permit application form provided by the County and shall contain such information as required by the rules and regulations promulgated pursuant to this law and shall be verified by the applicant.
- D. This form shall contain or be accompanied by, at a minimum, the following information and items:
 1. Name of applicant, street address, and mailing address of principal place of business. Person or persons desiring a permit shall explain ownership interest. Partnerships, corporations or other business entities shall furnish names and mailing addresses of principal owners, officers, managers and supervisors who will be in charge of the operations within the County.
 2. A full description of all collection vehicles and equipment owned, leased, or controlled by the applicant which will be used in the collection, transportation

and/or disposal of solid waste and/or recyclables generated, originated or brought within the County.

3. Detailed listings of any previous or existing enforcement actions by any environmental regulatory agency for violations of rules relating to solid waste and/or recyclable handling, transport or disposal.
 4. A signed letter of certification, that the applicant has read and is familiar with the terms and conditions of the permit and the provisions of this Local Law; including the Recycling Rules and Regulations (Appendix I) and the Permit Rules and Regulations (Appendix II) that the applicant agrees to operate in accordance with such terms and conditions in the event a permit is issued, and that all the information provided by the applicant is factual.
 5. All persons engaged solely in recycling or a solid waste volume reduction program must maintain all records and supply the Board of Supervisors or its designee with a quarterly report of its activities. Such quarterly report shall include: the tonnage of Recyclables collected in the County and the dates collected; and the market(s) for the Recyclables collected in the County.
 6. A signed letter of certification of ultimate disposal sites for recyclable materials as well as solid waste.
- E. Within ten days of receipt of the properly completed and signed application, the Board of Supervisors or its designee shall either issue a license or inform the applicant in that the license applied for has been denied with an explanation for the denial. The decision shall be sent to the applicant by certified mail.
- F. 1. When the Board of Supervisors or its designee determines that a failure to comply with solid waste license conditions in Section VII (B) of this law may have occurred it shall recommend that the solid waste license application be granted with conditions or denied, or the existing solid waste license be granted with conditions, suspended, revoked or its holder subjected to a reprimand. Notice and an opportunity to be heard shall be provided prior to the denial of a solid waste license application, the suspension or revocation of a solid waste license, or the issuance of a reprimand.
2. The Board of Supervisors or its designee shall notify the affected solid waste license applicant or licensee of the alleged failure in writing. The notice shall include:
- a. a statement of time, place, and nature of the hearing;
 - b. a statement of the solid waste license condition allegedly violated, referring to the pertinent law, rule or regulation; and
 - c. a short and plain statement of the alleged misconduct.
- The notice shall be personally served or sent by registered mail to the applicant or licensee's last known address.
3. Hearings
- a. Hearings shall be held before the Board of Supervisors or its designee within a reasonable period, which shall be at least ten (10) days after the service of the notice.
 - b. The applicant or licensee may be represented by counsel at the hearing, and may offer evidence and cross-examine witnesses.
 - c. Within twenty (20) days after the close of the hearing, the Board of Supervisors or its designee shall:
 - i. determine whether the alleged failure to comply with a solid waste license condition has occurred; and
 - ii. if it is determined that such a failure has occurred, decide whether the solid waste license application shall be denied, or an existing solid waste license shall be suspended, revoked, or its holder subjected to a reprimand; and issue an order carrying out its decisions; and

- iii. if it is determined that such a failure has not occurred, the Board of Supervisors or its designee shall approve the issuance of a solid waste license.
- 4. Determination, Decisions and Orders.
 - a. Disposition may be made by stipulation, agreed settlement, consent order, default or other informal method.
 - b. A final determination, decision or order adverse to a party shall be in writing and shall include a statement of facts and reasons supporting the determination, decision or order.
- 5. The Board of Supervisors or its designee shall promptly notify the applicant or licensee in writing of its final determination, decision or order. Such determination, decision or order shall become effective fifteen (15) days after the date of service or mailing.
- 6. Renewal licenses shall be applied for and issued in the same manner and subject to the same requirements as original licenses, and also shall be subject to any additional requirements in effect at the time of application for renewal. A complete and timely submitted application for renewal shall result in the applicant's existing license remaining in effect until the renewal application is acted upon by the Board of Supervisors or its designee.
- 7. Failure to pay fees and charges as established from time to time shall constitute a violation of this law.

SECTION 6: Section VII of Local Law No. 7-89 as amended by Local Law No. 3-91 is amended to read as follows:

Section VII. Issuance and Conditions of Solid Waste License

A. Solid Waste License Issuance

- 1. Solid waste licenses must be obtained and renewed annually from the County.
- 2. The solid waste license fee for each vehicle used to collect or transport solid waste by or on behalf of the licensee shall be established by resolution of the Board of Supervisors.
- 3. A solid waste license sticker shall be prominently displayed on each vehicle operated by or on behalf of the licensee as provided by the rules and regulations.

B. Conditions of Solid Waste License

Solid waste licenses and renewals shall be subject to the following conditions:

- 1. All licensees must comply with this law and the rules, regulations, and orders promulgated pursuant to this law.
- 2. All licensees, as a term and condition of being issued a solid waste license, shall agree to defend, indemnify and hold harmless the County of Wayne for any pending, threatened or actual claims, liability or expenses arising from waste disposal by the licensee in violation of this law.
- 3. All Waste Haulers in the County shall offer or cause to be offered to their customer's collection, transportation and service for Recyclables to the same extent any such waste hauler offers collection, transportation and disposal services for solid waste.
- 4. All Waste Haulers must maintain all records and supply the Board of Supervisors or its designee with a quarterly report of its activities. Such quarterly report shall include: the tonnage of Solid Waste collected in the County and the dates collected in the County; the location of disposal of Solid Waste collected in the County; the tonnage of Recyclables collected in the County and the dates collected; and the market(s) for the Recyclables collected in the County.
- 5. Quarterly reports shall be provided no later than thirty (30) days after the end of the quarter with the first quarter being January, February and March; the

second quarter being April, May and June; the third quarter being July, August and September; and the fourth quarter being October, November and December.

SECTION 7: Section IX of Local Law No. 7-89 as amended by Local Law No. 3-91 is amended to read as follows:

Section IX. Civil remedies: Criminal Penalties

A. Civil Remedies

The County may commence a civil action to enjoin or otherwise remedy any failure to comply with this law or the rules, regulations and orders promulgated pursuant to this law.

B. Criminal Penalties

1. Failure to comply with the rules and regulations promulgated pursuant to Section IV(A) subparagraphs 1 and 2 of this law or with the provisions of Section V(B)(1) of this local law shall be a violation as defined in Section 55.10 of the Penal Law. Any person convicted of such a violation shall be liable for:

- a. A fine of \$25.00 for the first conviction;
- b. A fine of \$50.00 for the second conviction
- c. A fine of \$100.00 for the third conviction
- d. fine of \$250.00 for the fourth conviction and each succeeding conviction; or
- e. Imprisonment for a term not to exceed fifteen days.

Each day such violation occurs or continues shall constitute a separate offense.

2. Failure to comply with Sections V (A), V (B) (2) V(C), VI(A) of this local law shall be a violation as defined in Section 55.10 of the Penal Law. Any person convicted of such a violation shall be liable for:

- a. A fine of \$250.00 for the first conviction;
- b. A fine of \$500.00 for the second conviction and each succeeding conviction; or
- c. Imprisonment for a term not to exceed fifteen days.

Each day such violation occurs or continues shall constitute a separate offense.

C. Any penalties or damages recovered or imposed under this law are in addition to any other remedies available at law or equity.

SECTION 8: Section X of Local Law No. 7-89 as amended by Local Law No. 3-91 is repealed in its entirety.

SECTION 9: Section XI of Local Law No. 7-89 as amended by Local Law No. 3-91 is renumbered section X.

SECTION 10: Section XII of Local Law No. 7-89 as amended by Local Law No. 3-91 is renumbered section XI.

SECTION 11: Section XIII of Local Law No. 7-89 as amended by Local Law No. 3-91 is repealed and replaced with a new Section XII which reads as follows:

Section XII: Effective Date

The provisions of this Law shall become effective on January 1, 2011. The Clerk of the Board of Supervisors shall give notice of the effective date of this local law by publishing notice thereof at least once in the official newspapers of the County, not less than thirty (30) days prior to said effective date.

Dated: August 19, 2010
Lyons, New York

Sandra J. Sloane, Clerk
Wayne County Board of Supervisors

The Chairman opened the floor for public comment at 7:06 p.m., stating that persons interested in addressing the Board with their comments are welcomed to come forth to the podium.

Prior to the start of comment, Chairman Hoffman introduced County Administrator James Marquette to highlight the proposed changes of the current Local Law in effect that originally established the plan for the Management of Solid Waste in Wayne County.

The following citizens addressed the Board:

David Grosuenor
Mary Joslyn
Art Crandon
Lee Calhoun
Michele Fabrizio
Edgar Abbott
Susan Gately
Kim S. Buell
Roland Micklem
Tonya Finn
Jeff Montemorano
Kris Montemorano
Nancy Kasper
Mike Fonte
David Stern
Marjorie Torelli

The Chairman requested for any additional citizens that wish to voice their comments regarding the proposed amendments to the Local Law to come forth.

At 7:55 p.m., after extended time was given for all interested people to be heard, Mr. Plant moved, seconded by Mr. Miller, that the public hearing be closed. Upon roll call, carried.

Chairman Hoffman announced that the Board would be taking a ten minute recess at 7:56 p.m.

The Board resumed regular session at 8:08 p.m.

OTHER BUSINESS

Mr. Marquette addressed the Board to briefly review various transmittals for board presentation and possible consideration.

Mr. Spickerman moved, seconded by Mr. Plant, that a resolution entitled "*Adoption of Local Law Amending Local Law No. 7-89 as Amended by Local Law No. 3-91 Establishing a Plan for the Management of Solid Waste Generated or Originated in the County of Wayne*" be allowed on the floor under Other Business.

Upon roll call, all Supervisors voted Nay, except Supervisors Spickerman, Hammond, Bender, Kelsch, Miller, Collier, Lauderdale, Plant, Hoffman and Park who voted Aye. The Chairman declared the motion defeated.

Mr. Kelsch moved, seconded by Mr. Colacino that a resolution entitled "*Accept NYSEDA Energy Efficiency Block Grant for Hybrid Electric Recycling Trucks*" be allowed on the floor under Other Business.

Upon roll call, all Supervisors voted Nay, except Supervisors Colacino, Groat, Manktelow, Kelsch, Miller, Collier, Lauderdale, Plant, Hoffman and Park who voted Aye. The Chairman declared the motion defeated.

Mr. Groat moved, seconded by Mr. Spickerman that a resolution to accept a NYSERDA Energy Efficiency Block Grant be allowed on the floor under Other Business. Upon roll call, all Supervisors voted Aye. Motion carried.

RESOLUTION NO. 585-10: ACCEPT NYSERDA ENERGY EFFICIENCY BLOCK GRANT

Mr. LeRoy presented the following:

WHEREAS, Wayne County has awarded \$200,000 from the NYSERDA Energy Efficiency Block Grant Program and said funds will be used to reduce energy consumption and the related cost of the energy in county buildings; now, therefore, be it

RESOLVED, that Wayne County accepts the NYSERDA Energy Efficiency Block Grant award in the amount of \$200,000; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to execute all agreements, contracts and documents in connection with the receipt and administration of this grant, subject to approval as to form and content by the County Attorney.

Mrs. Bender moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, adopted. Mr. Plant moved, seconded by Ms. Park that a resolution to set a date for a public hearing be allowed on the floor under Other Business. Upon roll call, all Supervisors voted Aye, except Supervisors Colacino, Crane and Manktelow who voted Nay. The Chairman declared the motion carried.

RESOLUTION NO. 586-10: SETTING PUBLIC HEARING REGARDING INITIATING PROCEDURE TO SELL WAYNE COUNTY CERTIFIED HOME HEALTH AGENCY AND ESTABLISHING A LICENSED HOME CARE AGENCY

Mrs. Collier presented the following:

WHEREAS, the 21st Century Committee has been reviewing the Wayne County Certified Home Health Care Agency (CHHA) extensively over the past year and one half for possible sale and this review included discussions with the Public Health Director, certain county staff members, the county's outside financial consultant for the CHHA, representatives of the New York State Department of Health, and representatives of outside agency service providers; and

WHEREAS, the 21st Century Committee has completed its review of the Certified Home Health Agency (CHHA) and in the event the decision is made to sell the CHHA, the Public Health Department would need to become a Licensed Home Care Agency; and

WHEREAS, a majority of the Supervisors attending the 21st Century Committee on August 28, 2010 indicated that the county should initiate steps to sell the Certified Home Health Agency and for the Public Health Department to become a Licensed Home Care Agency and it was also recommended that a Public Hearing be established to hear comments from the public about the proposal; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby establishes the Public Hearing on the proposal for Thursday, September 23, 2010 at 7:00 p.m.

Mr. Plant moved the adoption of the resolution. Seconded by Ms. Park. Upon roll call, all Supervisors voted Aye, except Supervisors Colacino, Groat, Crane and Manktelow who voted Nay. The Chairman declared the Resolution adopted.

Chairman Hoffman requested that the Board take a five minute recess at 8:20 p.m.

The Board resumed regular session at 8:28 p.m.

ADJOURNMENT:

The Chairman announced that the next scheduled meeting of the Board is Tuesday, September 21, 2010 at 7:00 p.m. and noted that this will be an evening session.

Mrs. Bender moved, seconded by Mr. Kelsch, that the board adjourn this session at 8:29 p.m. Carried.

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

17th Day
Tuesday, September 21, 2010
7:00 p.m.

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

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

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

APPROVAL OF MINUTES:

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

COMMUNICATIONS:

The Clerk read the following:

A copy of the Sheriff's Cash Receipts Report for the month of August 2010, totaling \$15,453.55.

A copy of the Western Finger Lakes Solid Waste Management Authority's May 17, 2010 Board Meeting minutes.

A letter from NYS Division of Criminal Justice Services, Office of Probation, acknowledging receipt and approval of Wayne County's Ignition Interlock Program Plan. No acceptable alternative was presented in the county plan for performing the monitoring function, consequently DCJS has approved said plan with the Wayne County Probation Department designated as monitor.

A letter from Art Crandon, resident of the Town of Lyons, requesting that the Board put the issue of recycling to a countywide referendum and allow the people who will be paying the bill to decide.

A resolution from Niagara County Legislature urging the Attorney General to join a multi-state lawsuit demanding stronger action to prevent Asian Carp infestation of the Great Lakes Waterways.

A certified resolution from the Ontario County Board of Supervisors that authorized agreements between Ontario County and Seneca, Wayne and Yates Counties for course offerings at Finger Lakes Community College.

A resolution from Fulton County entitled, "Resolution demanding that State Legislators reduce Unfunded Mandates that cause Local Property Tax Increases Prior to Imposing a Cap on Local Property Taxes".

A letter of resignation from Jamie Young, Director of Veterans Services, and effective September 17, 2010.

Copies of the County Auditor's accounts payable reports for August 2010 totaling \$4,761,839.04 and September 2010 for \$5,286,623.21.

A letter of concern from Lyle Maldoon, resident of Sodus Point, requesting the Board's solution in correcting the deteriorating water quality in Sodus Bay.

A letter from Chuck Frederick, Town of Huron, regarding the issue of Green Algae in the Sodus Bay area. He is requesting that the County take the lead initiative on the efforts to bring the local bay associations, property owners, the farm community and business owners to the table to discuss the growing number of concerns and misconceptions that are brewing in our community for the betterment of our bay area and Wayne County.

A thank you letter from Lee Van Kouwenberg, applauding the Wayne County Coop. Extension office on the courteous service she received for her question about her lawn. Staff not only gave great advice over the telephone, but also stopped by for a visit to analyze the problem with her lawn in person.

A resolution from the Board of Directors of the Wayne County Soil and Water Conservation District regarding support of their budget request for 2011.

A thank you letter from members of the IUE-CWA local 81382, for unanimously adopting Resolution No 523-10 that created new child protective caseworker positions within the Department of Social Services.

A letter from NYSAC to acknowledge receipt of adopted Resolution No. 531-10, entitled: "Resolution Urging New York State to Significantly Cut the Unfunded Mandates that Cause Local Property Tax Increases before Imposing a Cap on Local Property Taxes".

A copy of the Professional Advisory Committee Meeting Minutes were received, after being reviewed and accepted by the Wayne County Health and Medical Services Committee Meeting from July 21, 2010, as per state requirement.

A Notice of Public Hearing for Marshall Pet Products will be conducted by the Wayne County Industrial Development Agency on October 14, 2010 at 9:30 a.m. at the Butler Town Hall.

Mr. LeRoy moved, seconded by Ms. Park, that the board communications be received and filed. Upon roll call, carried.

PRIVILEGE OF THE FLOOR:

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

PROCLAMATIONS:

Mr. Martin Hohenboken, Wayne County student and 4-H Member, was selected to read today's proclamation on behalf of the Cornell Cooperative Extension and National 4-H Week – October 3-9, 2010.

RESOLUTION NO. 587-10: AUTHORIZATION TO AMEND NURSING HOME REHAB PROJECT PER CHANGE ORDER NUMBERS APPROVED ON AUGUST 3, 2010

Mrs. Bender presented the following:

WHEREAS, the Building Renovation Committee (BRC) has the authority to approve change orders up to \$10,000.00 for the Old Nursing Home Renovation Project and the BRC met on August 3, 2010 to review the status of the project and reviewed and approved various change orders with in components of the project; and

WHEREAS, the following change orders were reviewed and approved for the Plumbing and Fire Protection component: PC-01 decrease \$690.00 for re-routing of underground sanitary piping to avoid two excavations within the building; PC-05 increase \$1,694.00 for pricing to provide indirect waste floor drain trap for a net increase to the Plumbing and Fire Protection component of \$1,004.00 and the above approved change orders require amendments to the H1925 CO. BLDG. RENOVATION-ONH budget; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to amend Project H1925 CO. BLDG. RENOVATION-ONH as follows:

H1925-CO. BLDG. RENOVATION-ONH:

\$1,004.00 to .52816 Plumbing & Fire Protection

\$1,004.00 from .52818 Contingency

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

RESOLUTION NO. 588-10: AUTHORIZATION TO CLOSE PROJECT H1915-PARKS PROJECT AND TRANSFER REMAINING FUNDS INTO THE CONTINGENT ACCOUNT

Mrs. Bender presented the following:

WHEREAS, Resolution No. 109-05 established a Capital Project H1915-Parks Project for the design and construction of the Sodus Point Park Bathhouse including the revetment along Wickham Blvd and this project is completed and the total expenditures were \$759,495.98 with a County share totaling \$161,739.19 and an amount of \$23,260.81 needs to be returned to the General Fund in order to close out H1915; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to close out Project H1915 Parks Project by transferring \$23,260.81 in cash from the H Fund to the General Fund and amending the 2010 County Budget as follows:

A1990-CONTINGENT FUND GEN:

\$23,260.81 to .54000 Contractual Expense

A9999-OTHER:

\$23,260.81 to .45031 Interfund Transfer

H1915-PARKS PROJECT:

\$ 3,526.79 to .42401 Interest Expense

\$ 1,000.00 to .42770 Miscellaneous

\$ 4,526.79 to .52700 Capital Construction

\$23,260.81 to .59100 Transfer-General Fund

\$23,260.81 from .52700 Capital Construction

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

RESOLUTION NO. 589-10: AMEND NURSING HOME REHAB PROJECT PER CHANGE ORDER NUMBERS APPROVED ON SEPTEMBER 7, 2010

Mrs. Bender presented the following:

WHEREAS, the Building Renovation Committee (BRC) has the authority to approve change orders up to \$10,000.00 for the Old Nursing Home Renovation Project and the BRC met on September 7, 2010 to review the status of the project and reviewed and approved various change orders with in components of the project; and

WHEREAS, the following change orders were reviewed and approved for the General Contractor component: GC-16 increase \$4,936.00 for antenna roof entry system per County request; GC-35 increase \$1,654.00 for existing brick veneer at building is placed onto existing sidewalk, which does not allow for complete clean removal; GC-35B increase \$832.00 for rebuild brick pier as a result of sidewalk condition; GC-58 increase \$1,9756.00 for repair, infill of penetrations at rated wall assembly with typical masonry repair; GC-58A increase \$1,151.00 for infill block at various locations due to abatement; GC-59 increase \$406.00 for repairs to damaged bond beam at overhead door of future Maintenance room 1051 including re-pointing block; GC-65 increase \$4,638.00 for correction to existing discovered condition at the corridor link wall at corridor A-B; GC-67 increase \$1,461.00 for pricing for roof penetration for new antenna roof entry system includes added steel framing; GC-69 increase \$889.00 for existing brick work around exterior of the elevator shaft above the surrounding roof was repaired; GC-70 increase \$436.00 for brick sill repair at "B" wing; GC-73 increase \$1,591.00 for pricing at repair CMU found in poor condition under the aggregate panels along the roof line; GC-74 increase \$894.00 for key lock with key drop for evidence lockers at Room 1040; GC-75 increase \$354.00 for infill crawlspace under stairs not shown in documents; GC-78 increase \$751.00 for pricing for specimen pass thru unit from 1143 to 1142; GC-81 increase \$1,441.00 for demo dumbwaiter and block in chase trap for a net increase to the General Contractor component of \$23,410.00; and

WHEREAS, the following change orders were reviewed and approved for the Plumbing and Fire Protection component: PC-03 increase \$844.00 for pricing to provide hydro-flushing of sanitary line including television inspection approximately 100' for a net increase to the Plumbing and Fire Protection component of \$844.00 and the above approved change orders require amendments to the H1925 CO. BLDG. RENOVATION-ONH budget; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to amend Project H1925 CO. BLDG. RENOVATION-ONH as follows:

H1925-CO. BLDG. RENOVATION-ONH:

\$23,410.00 to General Trades

\$ 844.00 to .52816 Plumbing & Fire Protection

\$24,254.00 from .52818 Contingency

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

RESOLUTION NO. 590-10: AUTHORIZATION TO AMEND THE 2010 LEGAL DEFENSE OF INDIGENTS BUDGET

Mrs. Bender presented the following:

WHEREAS, revenues and expenditures have or will be exceeding line items for 2010 and will require line item transfers and amending the 2010 County Budget for the Legal Defense of Indigents will allow for continued expenditure of funds; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to amend the 2010 County Budget as follows:

A1172-LEGAL DEFENSE OF INDIGENTS:

\$ 400.00 to .42770 Miscellaneous Expense

\$ 8,590.00 to .43024 Indigent Legal Services

\$14,852.00 to .54502 Appeals

\$35,893.00 to .54505 Assigned Counsel-Family

\$44,755.00 from .54507 Assigned Counsel-Felony

\$ 3,000.00 to .54556 Assigned Counsel-Misdemeanor

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

RESOLUTION NO. 591-10: TAX REFUND – ERROR ON TAX ROLL

Mrs. Bender presented the following:

WHEREAS, applications for refund of real property tax claimed to be attributable to an error on the tax roll has duly been filed with the Director of Real Property Tax Services ("Director") for the properties listed below, pursuant to the provisions of Article Five, Title 3 of the Real Property Tax Law and the Director investigated the circumstances of the claimed errors and has submitted a report recommending the applications be approved; now, therefore, be it

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

TOWN OF WILLIAMSON

2010 Tax Roll

Account No.

66118-00-084720

Assessed to:

Tilden & Eileen Johnson

Total Tax Difference:

\$80.18 Total County Tax Difference: \$80.18

Refund:

\$80.18

TOWN OF WOLCOTT

2008 Tax Roll

Account No. 76119-00-049368
Assessed to: Evelyn Miller
Total Tax Difference: \$80.78 Total County Tax Difference: \$42.68
Refund: \$80.78

TOWN OF WOLCOTT

2009 Tax Roll
Account No. 76119-00-049368
Assessed to: Evelyn Miller
Total Tax Difference: \$28.35 Total County Tax Difference: \$7.15
Refund: \$28.35

TOWN OF WOLCOTT

2010 Tax Roll
Account No. 76119-00-049368
Assessed to: Evelyn Miller
Total Tax Difference: \$90.56 Total County Tax Difference: \$61.21
Refund: \$90.56

and be it further

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

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

RESOLUTION NO. 592-10: APPLICATIONS FOR CORRECTED TAX ROLLS

Mrs. Bender presented the following:

WHEREAS, applications for correction of tax rolls in relation to parcels of property identified below have been filed with the Director of Real Property Tax Services and the Director investigated the circumstances of the claimed errors on the tax rolls and recommends that the applications be approved; now, therefore, be it

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

TOWN OF ARCADIA

2009 Tax Roll
Account No. 68110-06-428996
Assessed to: House of Praise
Total Tax Difference: \$988.14 Total County Tax Difference: \$0.00
Corrected Total Tax: \$0.00

TOWN OF SODUS

2009 Tax Roll
Account No. 70116-00-097486
Assessed to: M.L. Odell
Total Tax Difference: \$633.80 Total County Tax Difference: \$0.00
Corrected Total Tax: \$385.71

and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to charge back the pertinent taxing authorities in the manner prescribed by Section 554 of the Real Property Tax Law.

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

RESOLUTION NO. 593-10: AUTHORIZATION TO AMEND CLERK OF THE BOARD BUDGET AND TRANSFER FROM CONTINGENT ACCOUNT

Mrs. Bender presented the following:

WHEREAS, the Clerk of the Board's budget for advertising will run out of funds prior to years end and a budget transfer is required; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2010 County Budget as follows:

A1990-CONTINGENT FUND GEN:

\$2,000.00 from .54000 Contractual Expense

A1040 CLERK OF THE BOARD:

\$2,000.00 to .54402 Advertising

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

RESOLUTION NO. 594-10: AUTHORIZATION TO TRANSFER PROPERTY TO THE VILLAGE OF WOLCOTT

Mrs. Bender presented the following:

WHEREAS, Wayne County took title to a piece of property in the Village of Wolcott located at 12087 Conklin Avenue tax map ID No. 75117-11-682573 and said property was destroyed by fire on June 23, 2010 as a result of an act of arson and the Village of Wolcott has demanded payment in the amount of One Thousand Five Hundred and 00/100 (\$1,500.00) from the County for costs associated with the demolition of said property and the Board of Supervisors after due deliberation feels it would be fair and equitable to offer to transfer title to said property to the Village of Wolcott the consideration for said transfer being the Village withdrawing its claim for said demolition costs in the amount of \$1,500; now, therefore, be it

RESOLVED, the County Administrator is hereby authorized to make a written offer to the Village of Wolcott to transfer title to said property tax ID No. 75117-11-682573 to the Village in exchange for the Village withdrawing its claim for demolition costs in the amount of \$1,500.

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

RESOLUTION NO. 595-10: DECLARING EQUIPMENT SURPLUS FOR THE DISTRICT ATTORNEY'S OFFICE

Mr. Colacino presented the following:

WHEREAS, the District Attorney has determined that the following equipment is no longer necessary to fulfill the requirements of day to day activities of the department and some of the equipment is beyond repair or obsolete; now, therefore, be it

RESOLVED, that the following equipment, no longer of use to the District Attorney is hereby declared surplus and the Director of Information Technology and/or the Superintendent of Buildings and Grounds is hereby authorized to dispose of the items in accordance with County policy:

NYSPIN modem, monitor and computer (obsolete)	Computer table
AMS Tech Laptop -000398 (obsolete)	HP Inkjet 2280 TN
3 Canon personal printers (obsolete)	digital recorder (broken)
Dell Laptop – 000394 (broken)	IBM 4037 Lexmark printer
Norelco recorder/transcriber (obsolete)	1 Canon video camera (broken)

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

RESOLUTION NO. 596-10: AUTHORIZATION FOR THE DISTRICT ATTORNEY TO AMEND ANIMAL ABUSE BUDGET

Mr. Colacino presented the following:

WHEREAS, the District Attorney has paid for the veterinary, Cracker Box Palace and Humane Society bills for various defendant's in the amount of \$3,778.86 from Line Item 4500 Fees for services and the District Attorney has been reimbursed by the defendants for said bills in the amount of \$3,778.86 and that amount has been deposited into 41580 Restitution Surcharges; now, therefore, be it

RESOLVED, that the District Attorney is authorized to amend his 2010 budget as follows:

A3117 – Animal Abuse:

\$3,778.86 to .41580 Restitution Surcharges

\$3,778.86 to .54500 Fees for Services

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

RESOLUTION NO. 597-10: AUTHORIZATION TO EXECUTE DOCUMENTATION OF INTENT FOR HAZARD MITIGATION GRANT PROGRAM

Mr. Colacino presented the following:

WHEREAS, the FEMA approved Wayne County Multi-Jurisdictional All-Hazard Mitigation Plan has resulted in the awarding of millions of dollars in Hazard Mitigation Grant projects to the 25 participants in the plan and the current plan must be updated and adopted no later than January 27, 2012 for the participants to retain eligibility for the Hazard Mitigation Grant Program; and

WHEREAS, the updating process is beyond the scope of available time for county resources to fully perform in-house and the Hazard Mitigation Grant Program is a competitive grant program that can provide funding to assist in the costs associated with this project; now, therefore, be it

RESOLVED, that the Director of Emergency Management is hereby authorized to prepare and sign a letter of intent to the State Emergency Management Office indicating Wayne County's desire to participate in the Hazard Mitigation Grant Program and apply for said grant to assist in the updating when available.

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

RESOLUTION NO. 598-10: AUTHORIZATION FOR THE CHAIRMAN TO SIGN ACKNOWLEDGMENT OF MERGER BETWEEN PROBATION AND DIVISION OF CRIMINAL JUSTICE SERVICES

Mr. Colacino presented the following:

WHEREAS, the Division of Probation and Correctional Alternatives (DPCA) has merged with the Division of Criminal Justice Services (DCJS) and is now referred to as the Office of Probation and Correctional Alternatives (OPCA) and the existing contract ESSO contract #T523081 is required to be amended to reflect said change and OPCA is requesting acknowledgement via signature; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute said letter of acknowledgment of the Division of Probation and Correctional Alternatives (DPCA) merger with the Division of Criminal Justice Services (DCJS) now referred to as the Office of Probation and Correctional Alternatives (OPCA).

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

RESOLUTION NO. 599-10: AUTHORIZATION TO SIGN AGREEMENT WITH BI INC. FOR THE DEPARTMENT OF PROBATION AND CORRECTIONAL ALTERNATIVES

Mr. Colacino presented the following:

WHEREAS, the Wayne County Department of Probation and Correctional Alternatives has modified a portion of the Electronic Home Monitoring Program (EHM) to include utilization of Global Positioning Satellites (GPS) and a second vendor for the necessary equipment has been located that will provide said equipment and monitoring services on a per diem basis; and

WHEREAS, the actual amount expended will be determined by the level of participation and the level of service, but will not exceed \$15,000 per year and the County Attorney has reviewed the agreement; and has approved as to form and content; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to sign an agreement with BI inc., not to exceed \$15,000, on behalf of the County of Wayne.

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

RESOLUTION NO. 600-10: AUTHORIZATION TO PURCHASE A TUBE SET FOR A MARINE PATROL VESSEL UNDER SOLE SOURCE PROCUREMENT GUIDELINES

Mr. Colacino presented the following:

WHEREAS, the Wayne County Sheriff's Office maintains and operates a 1999 Zodiac 22 foot marine vessel that is currently out of service due to leaking flotation tubes and the Wayne County Sheriff is budgeted \$17,000, under the 2010 County budget, for a replacement flotation tube set and said flotation tube set is 50% reimbursed by NYS Parks and Recreation and the sole source provider of said replacement flotation tube set is Zodiac of North America, 540 Thompson Creek Road, Stevensville, MD; and

WHEREAS, Zodiac of North America has provided to the Wayne County Sheriff a quote for the replacement flotation tube set and shipping for \$8745.00 and the Wayne County Sheriff is requesting permission to purchase the flotation tube set and shipping under the purchasing policies and procedures set forth in section II. 11.b of Wayne County Resolution No. 013-10; now, therefore, be it

RESOLVED, that the Wayne County Sheriff is hereby authorized to purchase, as a sole source purchase, a flotation tube set for a 1999 Zodiac marine vessel for a cost including shipping, not to exceed \$8,745.00.

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

RESOLUTION NO. 601-10: AUTHORIZATION TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH WAYNE COUNTY ACTION PROGRAM, INC. FOR EDUCATION AND FAMILY SERVICES AT THE WAYNE COUNTY JAIL FACILITY

Mr. Colacino presented the following:

WHEREAS, the Wayne County Sheriff's Office since 2000 has utilized the services of Wayne County Action Program, Inc., hereinafter known as WCAP, for literacy education and family services to inmates in the Wayne County Jail and the Wayne County Sheriff's Office Inmate Commissary Fund provides remuneration to WCAP for stated services rendered, and there is no cost to County taxpayers and a participation agreement needs to be entered into with WCAP for continuance of stated services at the Wayne County Jail facility; and

WHEREAS, the Wayne County Sheriff is requesting permission to enter into a Memorandum of Understanding with WCAP for continued educational and family services at the Wayne County Jail; now, therefore, be it

RESOLVED, that the Wayne County Sheriff is granted permission to enter into a memorandum of understanding with WCAP for continued educational and family services to inmates at the Wayne County Jail, with the effective date being the adoption of this resolution and continues annually until both parties agree to terminate said memorandum, subject to the County Attorney's approval as to form and content; and be it further

RESOLVED, that Wayne County Sheriff's Office Inmate Commissary Fund provides remuneration to WCAP for stated services rendered in said memorandum, and there is no cost to County taxpayers.

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

RESOLUTION NO. 602-10: AUTHORIZATION TO SIGN AN AGREEMENT WITH THE SODUS SCHOOL DISTRICT FOR A SCHOOL RESOURCE OFFICER THROUGH DECEMBER 2010

Mr. Colacino presented the following:

WHEREAS, the Sodus Central School District has been awarded a Federal Safe Schools/Healthy Schools grant, which in part pays the salary of (1) FTE Deputy Sheriff School Resource Officer, vehicle, and related equipment for a four-year period (07-01-2009 through 06-30-2013), totaling \$386,813 and the Wayne County Board of Supervisors authorized the Wayne County Sheriff to participate in said Safe Schools/Healthy Schools grant program in Resolution No. 713-09 and the Wayne County Board of Supervisors authorized the modification of the 2010 budget to provide a School Resource Officer (SRO) from the Sheriff's Office to the Sodus School District, and authorized the Chairman of the Board of Supervisors to sign an agreement with the Sodus School District in Resolution No. 86-10; and

WHEREAS, per said agreement, the Sodus School District issued a reimbursement check to the Wayne County Treasurer in August 2010 for the amount of \$52,374.00, for the contractual time period of January 1, 2010 through June 30, 2010 and another agreement needs to be signed with the Sodus School District for the full-time Deputy SRO for the time period of July 1, 2010 through December 31, 2010, for the same reimbursement amount to Wayne County of \$52,374.00; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign an agreement, upon review and approval of the County Attorney, with Sodus Central School District for the full-time Deputy SRO for the time period of July 1, 2010 through December 31, 2010, for the same reimbursement amount to Wayne County of \$52,374.00.

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

RESOLUTION NO. 603-10: AUTHORIZATION TO EXTEND AN AGREEMENT FOR SHERIFF'S OFFICE UNIFORMS WITH UNITED UNIFORM COMPANY, INC

Mr. Colacino presented the following:

WHEREAS, Wayne County has an existing agreement with United Uniform Company, Inc. 1132 Scottsville Road, Rochester, NY, for uniform and associated equipment services that are provided to Deputy Sheriffs, Correction Officers and Court Security Officers of the Wayne County Office of the Sheriff and said agreement with United Uniform expires September 30, 2010 and said agreement contains a provisions which allows the County to extend the agreement for up to two additional years, provided written notice is given and the Wayne County Sheriff requests that said agreement be extended for one year, through September 30, 2011; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby directed to provide written notice to United Uniform Company, Inc., for uniform and associated equipment services to be provided to the Wayne County Sheriff's Office per Resolution No. 612-09 adopted September 15, 2009 for the time period of October 1, 2010 through September 30, 2011, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 604-10: AUTHORIZATION TO AMEND THE BUDGET FOR WAYNE COUNTY 911

Mr. Colacino presented the following:

WHEREAS, the Finger Lakes Law Enforcement Academy is scheduling an 80 hour Basic Emergency Services Dispatcher School later this year, with this course being the standard training class utilized by Wayne County 911 for all dispatchers, as required by applicable State of New York 911 standards and certain other initiatives, including training involved with the implementation of EMD (emergency medical dispatching) have expended the previously appropriated 2010 training funds in 911; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to make the following line item transfer within the 2010 County budget:

A3642 E911 Communications

\$3,000.00 from .54230 (Telephone)

\$3,000.00 to .54483 (Training, Seminars and Schools)

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

RESOLUTION NO. 605-10: AUTHORIZATION TO AMEND DETECTIVE UNIT BUDGET AND RETURN FUNDS TO CONTINGENT ACCOUNT

Mr. Colacino presented the following:

WHEREAS, the Wayne County Sheriff's Office review of year to date budgets revealed an over allocation in A3315 Detective Unit budget for 2010 and said funds are being recommended to be returned to the General Fund Contingent account; now, therefore, be it

RESOLVED, that the County Treasurer amend the 2010 County Budget as follows:

A1990-CONTINGENT FUND GEN:

\$35,928.00 to .54000 Contractual Expense

A3115 SHERIFF-DETECTIVE UNIT:

\$35,928.00 from .58901 Employee Assistance Program

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

RESOLUTION NO. 606-10: AUTHORIZATION TO AMEND A1185 CORONER BUDGET AND TRANSFER FROM CONTINGENT ACCOUNT FOR 2010

Mr. Colacino presented the following:

WHEREAS, the Coroner budget for autopsies will run out of funds prior to years end and a budget transfer is required; now, therefore, be it

RESOLVED, that the County Treasurer amend the 2010 County Budget as follows:

A1990-CONTINGENT FUND GEN:

\$20,928.00 from .54000 Contractual Expense

A1185 CORONER:

\$20,928.00 to .54509 Autopsies

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

RESOLUTION NO. 607-10: AUTHORIZATION TO ADVERTISE FOR BIDS FOR LANDING REPLACEMENT TO 77 WATER STREET - SOCIAL SERVICES BUILDING

Mr. LeRoy presented the following:

WHEREAS, the masonry landing on the east side entrance to the Department of Social Services located at 77 Water Street in the Village of Lyons, is in need of replacement to keep it in a sound and safe condition and the Commissioner of Social Services has indicated they can acquire the funds needed for the repairs; now, therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized and directed to prepare specifications for bid, subject to the approval of the County Attorney as to form and content, for the landing replacement located at 77 Water Street;

and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized to advertise publicly open said bids at the time specified in the advertisement for the bidders, then present a record of the bids received at the next meeting of the Board of Supervisors following the bid opening.

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

RESOLUTION NO. 608-10: AUTHORIZATION TO CONTRACT WITH SWBR FOR PLANS AND SPECIFICATIONS FOR ADDITIONAL SECURITY AND RESTROOMS LOCATED IN THE HEALTH SERVICES BUILDING

Mr. LeRoy presented the following:

WHEREAS, Wayne County as per Resolution No. 568-10, and No. 569-10, has decided to extend the security system, as well as buildout of staff restrooms and the work needed to accomplish these tasks will require a Building Permit, issued by the NYS Division of Codes and SWBR Architects, has reviewed the project scope and provided a proposal to prepare the needed plans and specifications to obtain the building permit; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to enter into an agreement with SWBR Architects, subject to the approval of the County Attorney as to form and content for the provision of plans and specifications to obtain a building permit for the additional security and restrooms located in the Health Services Building for the fee not to exceed \$6,800.

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

RESOLUTION NO. 609-10: AUTHORIZATION TO ADVERTISE FOR BIDS FOR JANITORIAL AND CUSTODIAL SERVICES FOR THE HALL OF JUSTICE

Mr. LeRoy presented the following:

WHEREAS, the contract for Janitorial and Custodial services for the Wayne County Hall of Justice, will expire on November 30th, 2010 and Wayne County does not wish to enter into an additional year with the current provider of services; now, therefore, be it

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for bids for the services above in accordance with specifications prepared by the Superintendent of Buildings and Grounds and approved by the County Attorney as to content and form; and be it further

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

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

RESOLUTION NO. 610-10: AUTHORIZATION TO AMEND MACHINERY BUDGET

Mr. LeRoy presented the following:

WHEREAS, the cost of diesel fuel and gasoline has increased by approximately 25% as compared to the prices paid in 2009 and the usage of fuels has also increase slightly necessitating an increase in the Machinery Budget for Diesel and Gasoline; now, therefore, be it

RESOLVED, that the County Treasurer amend the DM Fund Highway Machinery Budget for 2010 as follows:

DM5130 – ROAD MACHINERY:

\$115,000.00 to .42304 Material reimbursements
\$65,000.00 to .54121 Diesel
\$50,000.00 to .54128 Gasoline

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

RESOLUTION NO. 611-10: AUTHORIZATION TO EXECUTE AGREEMENT BETWEEN THE COUNTY OF WAYNE AND NEW YORK STATE FOR ARCADIA-ZURICH-NORRIS ROAD BRIDGE OVER SALMON CREEK

Mr. LeRoy presented the following:

WHEREAS, the Arcadia-Zurich-Norris Road Bridge Replacement, Project Identification Number (PIN) 4754.97, is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds. The break down as follows:

<u>PIN 4754.97.121 for \$247,000 DESIGN</u>	
Detailed Design	\$220,000
Contingencies (5% of Detailed Design)	\$11,000
County Administration (7.5% of Detailed Design)	<u>\$16,000</u>
For a total of	\$247,000

and

WHEREAS, the County of Wayne desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of \$247,000; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the County of Wayne to pay the first instance 100% of the federal and non-federal share of the cost of design work for the project or portions thereof; 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 the New York State for the replacement of Arcadia-Zurich-Norris Road Bridge over Salmon Creek (PIN 4754.97) in the Town of Sodus; and be it further

RESOLVED, that the County Treasurer is hereby authorized to amend the 2010 County Budget as follows:

A1990-CONTINGENT FUND GEN:

\$5,400.00 from .54000 Contractual Expense

A9901-INTERFUND TRANSFER:

\$5,400.00 to .59300 Transfer-County Road

D5112 – ROAD CONSTRUCTION:

\$27,000.00 to .52925 Arcadia-Zurich-Norris Road Bridge Project

D9999 – OTHER:

\$21,600.00 to .44511 Federal Aid-Marchiselli Funds

\$5,400.00 to .45031 Interfund Transfers

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

RESOLUTION NO. 612-10: AUTHORIZATION TO AMEND RESOLUTION 287-10 "AUTHORIZATION TO SET WAGE FOR HERBICIDE APPLICATOR"

Mr. LeRoy presented the following:

WHEREAS, the original Resolution No. 287-10 budgeted for 200 hours to complete the roadside spraying on county roadways and a very heavy crop of hogweed necessitated the crew to spray many additional locations on town and county roadways and the additional hours expended was 57.5; now, therefore, be it

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

D5110-Maintenance of County Roads:

\$1,900.00 from .54490 Weed Spraying

\$1,900.00 to .51468 Licensed Pesticide Applicator

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

RESOLUTION NO. 613-10: AUTHORIZATION TO CLOSE PROJECT H1958 FAIRGROUNDS LIVESTOCK BARN

Mr. Spickerman presented the following:

WHEREAS, Resolution No. 391-04 established this project to construct a new livestock building at the Wayne County Fairgrounds in Palmyra and said livestock barn has been completed and all invoices submitted and paid in an amount of \$497,050; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to close out Project H1958 Fairgrounds Livestock Barn.

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

RESOLUTION NO. 614-10: AUTHORIZE PURCHASE OF NEW CHAIR FOR PLANNING DEPARTMENT

Mr. Spickerman presented the following:

WHEREAS, the chair used by Senior Planner Amy D'Angelo has broken and is effectively irreparable and there are funds within the current budget total sufficient to fund this purchase; now, therefore be it

RESOLVED, that the Planning Department may purchase a new chair in an amount not to exceed \$200; and be it further

RESOLVED, that the County Treasurer is directed to amend the 2010 County Budget as follows:

A8020 – PLANNING BOARD

\$200 to .52200 Office Equipment

\$200 from .54600 Miscellaneous

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

RESOLUTION NO. 615-10: RESOLUTION IN SUPPORT OF NEW NUCLEAR POWER FACILITIES IN WAYNE COUNTY

Mr. Spickerman presented the following:

WHEREAS, the expansion of nuclear energy is essential to reduce our nation's dependence on foreign sources of oil and gas and increasing the federal loan guarantee authority for new nuclear energy plant development by \$36 billion as proposed by President Obama's FY 2011 budget request for the Department of Energy will enable the construction of new nuclear power plants employing technologically advanced safety and efficiency features; and

WHEREAS, Wayne County has worked cooperatively with Constellation Energy Nuclear Group (CENG), the owners of the R.E. Ginna Nuclear Power Plant, currently located in the county to ensure safe and productive operation and Wayne County is home to a skilled and dependable building and trades workforce that has vast experience in both the construction and operation of nuclear power plants; and

WHEREAS, Wayne County's natural resources and existing infrastructure are well-suited to support further development of nuclear power and all citizens of Wayne County would benefit from the substantial expansion of the tax base that would be expected from construction of a new nuclear power plant; therefore be it

RESOLVED, that the Board of Supervisors of Wayne County expresses their support for locally-built new nuclear facilities; and be it further

RESOLVED, that this body urges full consideration of Wayne County as a site for any new nuclear facilities that may be developed; and be it further

RESOLVED, that, by copy of this resolution, our State and Federal representatives be requested to support its intent and to pursue the funding and the methods necessary to support new nuclear facility construction in Wayne County; and be it further

RESOLVED, that the Clerk of the Board is hereby directed to transmit a certified copy of this Resolution to United States Secretary of Energy Steven Chu, United States Nuclear Regulatory Commission Chair Kristine L. Svinicki; Governor David A. Paterson; United States Congressman Daniel Maffei; NYS Assembly Leader Sheldon Silver; Assemblyman Robert C. Oaks; NYS Senator Michael F. Nozzolio; United States Senator Charles Schumer; United States Senator Kirsten Gillibrand and all others deemed necessary and proper.

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

RESOLUTION NO. 616-10: AUTHORIZATION TO PAY WAYNE COUNTY HISTORICAL SOCIETY AND MUSEUM 2010 APPROPRIATION

Mrs. Collier presented the following:

WHEREAS, the Wayne County Board of Supervisors has budgeted 2010 funds for the Wayne County Historical Society and Museum; now, therefore, be it

RESOLVED, that the Clerk of the Board is hereby authorized to pay the \$16,200 in one installment in the month of September 2010, for the 2010 Appropriation to the Wayne County Historical Society and Museum, upon submission of a claim for payment and after audit and approval of the claim by the Wayne County Auditor.

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

RESOLUTION NO. 617-10: AUTHORIZATION FOR COUNTY TREASURER TO TRANSFER FUNDS FOR PAYMENT OF NEGOTIATORS

Mrs. Collier presented the following:

WHEREAS, County Negotiators are paid from Account No. A14204.54486 (Union Contracts) in the County Attorney's budget and there are presently three (3) collective bargaining agreements being negotiated and there are insufficient funds in said account at the present time; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is hereby authorized to amend the 2010 budget as follows:

Account No. A1420 – County Attorney

\$15,000 to .54486 Union Contracts

A1990 Contingent Account \$15,000 from .54000 Contractor Account

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

RESOLUTION NO. 618-10: AUTHORIZATION TO DECLARE LEVER VOTING MACHINES SURPLUS AND TO AUTHORIZE REMOVAL AND SALE

Mrs. Collier presented the following:

WHEREAS, the County has the responsibility for the lever voting machines which are no longer approved for use in elections and these lever voting machines are located in various sites in towns throughout Wayne County and school districts within the county have been offered the use of these lever voting machines and have taken or will take possession of 28 lever machines and there are 58 lever voting machines available to sell; now, therefore, be it

RESOLVED, that the Board of Supervisors declare the remaining 58 lever voting machines surplus equipment; and be it further

RESOLVED, that the Board of Supervisors authorize a solicitation for bid to purchase

and remove from current sites the remaining 58 lever voting machines for scrap or other purpose, subject to the County Attorney's approval to form and content.

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

RESOLUTION NO. 619-10: AUTHORIZATION TO ADOPT THE REVISED CIVIL SERVICE EMPLOYEES SICK LEAVE BANK

Mrs. Collier presented the following:

WHEREAS, the Wayne County Board of Supervisors (Resolution 419-09, amended by Resolution 063-10) authorized the County Administrator, the Director of Human Resources, and the County Attorney to discuss with CSEA and develop a revised Employee Sick Leave Bank and the County and CSEA have reached a satisfactory conclusion to these discussions and during 1996-1998, CSEA members joined the previous Employee Sick Leave Bank and donated 135 days of leave which was not used and the County and CSEA desire that this previously donated time be carried over to the revised Employee Sick Leave Bank; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors and the County Administrator are hereby authorized to sign and implement the attached Memorandum of Agreement; and be it further

RESOLVED, that 135 days donated from the years 1996, 1997, and 1998 be carried over to this revised Sick Leave Bank.

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

RESOLUTION NO. 620-10: AUTHORIZATION TO TRANSFER FUNDS FROM CONTINGENCY TO THE CURRENT HUMAN RESOURCES BUDGET

Mrs. Collier presented the following:

WHEREAS, the current Human Resources budget line 58400 was established in January 2010 and employees of the Human Resources Department have experienced changes in their need for health insurance coverage since January 2010 that have increased the expected actual cost to exceed the 2010 budget by \$14,670; now, therefore, be it

RESOLVED, that the County Treasurer is directed to amend the 2010 County Budget as follows:

A 1990 – Contingency Fund General:

\$14,670.00 from .54000 Contractual Expense

A 1430 – Human Resources

\$14,670.00 to .58400 Hospitalization

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

RESOLUTION NO. 621-10: AUTHORIZATION FOR THE MENTAL HEALTH DEPARTMENT NOT TO RENEW THE OFFICE OF MENTAL HEALTH LICENSE FOR THE CONTINUING DAY TREATMENT PROGRAM

Ms. Park presented the following:

WHEREAS, within the past several months, the New York State Office of Mental Health (OMH) has imposed two statewide service payment rate reductions, the most recent one occurring on July 1, 2010, along with implementing a new matrix which restructured the treatment services and payment schedule for Continuing Day Treatment Programs (CDT); and

WHEREAS, the imposed new structure and rate reductions results in the CDT Program no longer being able to sustain financial viability and in response to these State changes, Wayne Behavioral Health Network (WBHN) plans to convert the CDT Program over to the existing Mental Health Clinic Treatment Program, and as such, will thereby be

able to continue to provide ongoing continuity of care, without interruption of treatment, and will maintain the ability to deliver a comparable level of care in order to meet the treatment needs of the patients currently attending the CDT Program; and

WHEREAS, the strategy for converting the CDT Program over to the Clinic Program will not only allow WBHN to meet the patient care needs, but will also provide a more financial viable situation for the agency. And, this proposed plan, which has been submitted to OMH, would take effect as of October 1, 2010, and will also coincide with the natural expiration of our current CDT Program license; now, therefore, be it

RESOLVED, that Wayne Behavioral Health Network is authorized to not renew the NYS Office of Mental License for the Continuing Day Treatment Program, and to proceed with its plan to convert services.

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

RESOLUTION NO. 622-10: AUTHORIZATION TO AMEND CONTRACT WITH UNIVERSITY OF ROCHESTER PULMONARY AND CRITICAL CARE UNIT

Ms. Park presented the following:

WHEREAS, Wayne County Public Health has a current contract with the University of Rochester Pulmonary and Critical Care Unit to provide physician/consultant services to the Tuberculosis Program and it was recently noted that the current contract will not allow for full expenditure of funds for projected services rendered in the fourth quarter of 2010 and the University of Rochester receives \$896.41 per clinic x 12 clinics per year which is a total of \$10,756.92, and the current contract reads not to exceed \$10,500 for the 2010 year; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to amend the contract with the University of Rochester Pulmonary and Critical Care Unit to increase the entire contract amount to not exceed \$10,756.92, with the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 623-10: AUTHORIZATION FOR DISPOSAL OF EQUIPMENT FOR WAYNE COUNTY PUBLIC HEALTH

Ms. Park presented the following:

WHEREAS, Wayne County Public Health would like to safely dispose of a HP Laserjet 1100 printer, serial # USLH003923 because it is non-repairable and parts are obsolete; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to declare one (1) HP Laserjet 1100 printer, serial # USLH003923, as surplus non-repairable equipment; and be it further

RESOLVED, that the printer listed hereto, no longer of use to the Public Health Department is hereby declared surplus and the Director of Information Technology and/or the Superintendent of Buildings and Grounds is hereby authorized to dispose of the items in accordance with County policy.

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

RESOLUTION NO. 624-10: AUTHORIZATION TO EXECUTE SUBCONTRACT WITH HEALTH RESEARCH INSTITUTE, INC FOR BREAST & CERVICAL CANCER EARLY DETECTION PROGRAM

Ms. Park presented the following:

WHEREAS, Wayne County Public Health currently has a contract with the New York State Department of Health to provide cancer screening services through the Cancer Screening Program of Wayne County and Health Research, INC (HRI) has been awarded

additional funding through the CDC to provide Integrated Cancer Services Program and HRI wishes to subcontract with the Cancer Screening Program of Wayne County for the amount of \$24,796.00 and part of the overall project involves the Breast & Cervical Cancer Early Detection Program through Wayne County, who will administer the grant; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute the subcontract with Health Research Institute, Inc., subject to the approval of the County Attorney as to form and content, for the period of June 30, 2010 to June 29, 2011, for an amount not to exceed \$24,796.

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

RESOLUTION NO. 625-10: AUTHORIZATION TO CONTRACT WITH THE ADVOCACY CENTER FOR WAYNE COUNTY PUBLIC HEALTH

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) receives grant money from the New York State Department of Health to provide educational, informational and referral programs for children with special health care needs from the age of 0 to 21 and WCPH has identified an educational need for community members who parent, care for, provide services to such children with special health care needs; and

WHEREAS, WCPH would like to contract with the Advocacy Center to provide six (6) educational workshops at four (4) different sites throughout Wayne County starting October 1, 2010 and each workshop will cost \$200 x six (6) workshops x four (4) sites, for a total of 24 workshops, plus \$1320 for mileage, for a total cost not to exceed \$6120; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to contract with the Advocacy Center, 590 South Avenue, Rochester, NY 14620-1371, on behalf of WCPH, to provide a total of 24 educational workshops plus mileage throughout Wayne County at a total cost not to exceed \$6,120, with the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 626-10: AUTHORIZATION TO AMEND PUBLIC HEALTH CONTRACT WITH HEALTH RESEARCH INSTITUTE, INC

Ms. Park presented the following:

WHEREAS, Wayne County Public Health has received an amendment from Health Research Institute, Inc for the contract number 1630-07 to change the end date for all phases of the H1N1 funds awarded to 8/30/2010 and the end date for the Base funds awarded for the Public Health Preparedness/Response for Bioterrorism remains on 8/9/2010; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the amendment, upon review and approval of the County Attorney as to form and content, with the Health Research Institute contract number 1630-07 to change the end date for all phases of the H1N1 funds awarded to 8/30/2010.

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

RESOLUTION NO. 627-10: AUTHORIZATION TO ESTABLISH FLU & PNEUMONIA VACCINATION RATES FOR 2010-2011 SEASON

Ms. Park presented the following:

WHEREAS, the Public Health department established annual rates for flu and pneumonia vaccination clinics and the department sets rates based on Medicare reimbursement rates established for New York residents; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized and directed to establish the following rates effective September 1, 2010:

Flu Vaccine \$36.00 per vaccine - \$16.50 / vaccine dose + \$19.50 administration
Pneumonia Vaccine \$65.00 per vaccine - \$45.50 / vaccine dose + \$19.50 administration

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

RESOLUTION NO. 628-10: AUTHORIZATION TO EXECUTE EQUIPMENT RENTAL AGREEMENT FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the nursing home residents are in need of skin care specialty mattresses; and the nursing home wishes to enter in agreement with Mission Health Concepts, Inc. for the provision of equipment rental and the cost to rent 30 cushions and 36 mattresses is \$5,000 monthly for the first year; \$4,000 a month the second year; and \$3,000 a month for the third year; and

WHEREAS, it is determined that the cost of renting under a contract is saving versus monthly renting; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to contract with Mission Health Concepts, Inc. for the provision of equipment rental for 30 cushions and 36 mattresses for the monthly cost of \$5,000 for the first year; \$4,000 a month the second year; and \$3,000 a month for the third year, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 629-10: AUTHORIZATION TO AMEND CONTRACT WITH REIMBURSEMENT CONSULTANT – TERRY COTTON

Ms. Park presented the following:

WHEREAS, Resolution No. 789-09 with Terry Cotton, 1235 Hunters Run, Victor, NY 14564 is hereby amended to include Interim Controller Services and the fee for this additional service is \$75 per hour plus out-of-pocket expenses incurred, and professional fees and expenses for these special services not to exceed \$10,000; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisor's be authorized and directed to execute an amendment to the current contract on behalf of the Wayne County Nursing Home, subject to the County Attorney's approval as to form and content for the period January 1, 2010 – December 31, 2010.

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

RESOLUTION NO. 630-10: AUTHORIZATION TO CREATE TEMPORARY CERTIFIED NURSING ASSISTANTS POSITIONS

Ms. Park presented the following:

WHEREAS, there are currently 12 full time Certified Nursing Assistants (CNAs) out on disability or workers compensation and off the payroll and these absences create a staffing problem and overtime is required to ensure adequate staffing and sufficient funds exist within the Nursing Home budget due to the aforesaid vacancies; now, therefore, be it

RESOLVED, that the three (3) Temporary Certified Nursing Assistant positions are hereby created in the Nursing Home budget.

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

RESOLUTION NO. 631-10: AUTHORIZATION TO RENEW CONTRACT FOR TITLE V SENIOR EMPLOYMENT SERVICES WITH FINGER LAKES WORKS

Mrs. Crane presented the following:

WHEREAS, the Older American Act allocates Title V funding to the local Offices of Aging to provide employment and training services to income eligible seniors over 55 and the Department of Aging and Youth contracts with Finger Lakes Works to provide subsidized employment and training services for persons 55 and older; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized, subject to the County Attorney's review and approval, to contract on behalf of the County of Wayne with Finger Lakes Works in the amount of \$47,609 for the grant period of July 1, 2010 through June 30, 2011.

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

RESOLUTION NO. 632-10: AUTHORIZATION TO APPLY FOR BULLIS FOUNDATION GRANT FUNDING FOR THE FAMILIES AND COMMUNITIES TOGETHER PROGRAM

Mrs. Crane presented the following:

WHEREAS, Families and Communities Together (FACT) is an interagency initiative designed to assist families of children who are having difficulty in their home, school, or community due to emotional and/or behavioral challenges. FACT serves children in grades K through 12 in eight school districts throughout Wayne County. The primary goal of FACT is to prevent out of home placements; and

WHEREAS, revenue for the FACT program is derived from, the participating schools, Office of Mental Health, NY State OCFS grants and private foundation funding and the Bullis Foundation has been a contributor of FACT funding and the 2010 Grant application is due September 30th; now, therefore, be it

RESOLVED, the Department of Aging and Youth is requesting authorization to apply for Bullis Foundation funds in the amount of \$39,000 for the 2010 budget year.

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

RESOLUTION NO. 633-10: AUTHORIZATION TO SIGN A LICENSING AGREEMENT WITH SYNERGY SOFTWARE TECHNOLOGIES, INC.

Mrs. Crane presented the following:

WHEREAS, New York State Office for the Aging Ombudsman Program has a state contract with Synergy Software Technologies in order for local Aging agencies to collect and report client demographics data to the state and Title VII grant 100% funding has been made available to cover the cost of licensing and local agencies are required to sign a licensing agreement with Synergy Software Technologies to provide this service and the new contract year is effective 10/31/10; now, therefore, be it

RESOLVED, that the Chairman of the Board is authorized to sign the licensing agreement with Synergy Software, subject to the County Attorney's approval as to form and content, for the period October 31, 2010 to October 30, 2011 for an amount of \$1,346.40.

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

RESOLUTION NO. 634-10: AUTHORIZATION TO AMEND THE SOCIAL SERVICES BUDGET

Mrs. Crane presented the following:

WHEREAS the Department of Social Services is desirous of purchasing two (2) defibrillator units that are included in our 2010 Equipment Budget and the quote to purchase these two defibrillator units total \$4,162.90 which exceeds the budgeted amount of \$3,400 in account A60102.52500 by \$762.90; and

WHEREAS, there is sufficient money available in our office equipment account A60102.52200 due to the decision not to purchase 4 digital desk phones in the amount of \$800; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to amend the 2010 budget as follows:

A6010 Social Services Administration

\$763.00 from .52200 Office Equipment

\$763.00 to .52500 Other Equipment

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

RESOLUTION NO. 635-10: AUTHORIZE AMENDMENTS TO THE 2010 WFD BUDGETS (A6293, A6295, A6299 AND A6211)

Mrs. Crane presented the following:

WHEREAS, the Wayne County Workforce Development Office (WFD) has renewed contracts and budgets for Adult, Youth, Administrative with the Finger Lakes Workforce Investment Board, Inc. (FLWIB), and the Title V Program with the Wayne County Office of Aging and Youth and renewal of these contracts require budget adjustments to reflect these changes, as they follow a calendar year of July 1 to June 30; now, therefore, be it

RESOLVED, that based on current funding allocations, the County Treasurer is hereby directed to make the following amendments of the 2010 County Budget as indicated below:

A6293 WIA Adult

44712 Revenue	\$11,500
51252 Counselors	11,000
58200 Social Security	500

A6295 WIA Youth

44712 Revenue	9,400
51357 Work Experience	8,400
58200 Social Security	1,000

A6299 WIA Admin

44712 Revenue	\$700
51123 Account Clerk	650
58200 Social security	50

A6211 Title V

42761 Revenue	14,200
51256 E & T Coordinator	2,000
51357 Work Experience	10,000
58200 Social Security	1,200
58400 Hosp	1,000

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

RESOLUTION NO. 636-10: AUTHORIZATION TO RENEW CONTRACT WITH ARC

Mrs. Crane presented the following:

WHEREAS, Wayne County Department of Aging and Youth Contracts with Association for Retarded Children (ARC) to provide respite services in the form of a day camp for disabled children in the amount of \$1,525; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Wayne County ARC for their Youth Vacation Day Camp for 2010 in an amount not to exceed \$1,525; and be it further

RESOLVED, that ARC provides all matching funds, and expends total budget (matching funds plus NYS Office of Children and Family Services share) prior to submission of claim to County for Office of Children and Family Services Share for the time period of 01/01/10– 12/31/10.

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

RESOLUTION NO. 637-10: AUTHORIZATION TO APPROVE CHANGE ORDER FOR HOLDSWORTH KLIMOWSKI FOR ADDITIONAL SITE WORK AND PAVING

Mr. Spickerman presented the following:

WHEREAS, RFP GC-71 was issued for the provision of additional black top and curbing in an area adjacent to an overhead service door located on the South side of the jail housing unit and Holdsworth Klimowski has prepared and submitted a formal quote that has been reviewed and approved by SWBR and Watchdog Building Partners; now, therefore, be it

RESOLVED, that RFP GC-71 is hereby approved in the amount of \$29,596.09 for the provision of additional black top and curbing in an area adjacent to an overhead service door located on the South side of the jail housing unit; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to amend Account No. H1925 as follows:

H1925-CO BLDG RENOVATION-ONH:

\$29,596.09 to .52818 General Trades

\$29,596.09 from Contingency

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

RESOLUTION NO. 638-10: AUTHORIZATION TO APPROVE CHANGE ORDER FOR HOLDSWORTH KLIMOWSKI FOR ELEVATOR UPGRADES AND AMEND BUDGET

Mr. Spickerman presented the following:

WHEREAS, RFP GC-66 was issued based on field observations of the existing Otis service elevator for work to be performed as recommended by ThyssenKrupp Elevator for replacement of the Hydraulic unit and oil, Replace car panel and car access panels, and provide a new door operator and Holdsworth Klimowski has prepared and submitted a formal quote that has been reviewed and approved by SWBR and Watchdog Building Partners be; now, therefore, be it

RESOLVED, that RFP GC-66 be approved in the amount of \$30,651.60 for work to be performed as recommended by ThyssenKrupp Elevator for replacement of the Hydraulic unit and oil, replace car panel and car access panels, and provide a new door operator; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to amend Account No. H1925 as follows:

H1925-CO BLDG RENOVATION –ONH:

\$30,651.60 to .52813 General Trades

\$30,651.60 from .52818 Contingency

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

RESOLUTION NO. 639-10: AUTHORIZATION TO APPROVE CHANGE ORDER FOR LANDRY MECHANICAL FOR IMPROVEMENTS AND REPAIRS TO GAS LINES

Mr. Spickerman presented the following:

WHEREAS, RFP# PC-08 was issued for the provision of various repairs and improvements to the County owned natural gas distribution system and Landry Mechanical Contractors has prepared and submitted a formal quote that has been reviewed and approved by SWBR Architects, Parrone Engineering, and Watchdog Building Partners;

now, therefore, be it

RESOLVED, that RFP #PC-08, is hereby approved in the amount of \$29,828.70, for the provision of various repairs and improvements to the County owned natural gas distribution system; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to amend Account No. H1925 as follows:

H1925-CO BLDG RENOVATION-ONH:

\$29,828.70 to .52816 Plumbing and Fire Protection

\$29,828.70 from Contingency Line .52818

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

OTHER BUSINESS:

Mr. Lauderdale moved, seconded by Mr. LeRoy that one (1) resolution be allowed on the floor under other business. Upon roll call, all Supervisors voted Aye. Absent – Supervisors Hammond and Plant. The Chairman declared the motion carried.

Prior to presentation, County Administrator Marquette reported that the following was reviewed and approved at the scheduled Hotchkiss Building Committee. The committee was not able to meet early enough to be included under the regular items on this agenda.

RESOLUTION NO. 640-10: AUTHORIZATION TO EXECUTE CONTRACT WITH WATCHDOG BUILDING PARTNERS LLC FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE RENOVATION/RESTORATION OF THE HOTCHKISS BUILDING

Mr. Manktelow presented the following:

WHEREAS, the Hotchkiss Building Ad Hoc Committee has reviewed qualifications, interviewed potential construction management firms and recommended that Wayne County retain Watchdog Building Partners, LLC for construction management services associated with the renovation/restoration of the Hotchkiss Building; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement with Watchdog Building Partners, LLC, subject to approval by the County Attorney as to form and content, for construction management services for the renovation/restoration of the Hotchkiss Building in an amount not to exceed \$37,900.

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

EXECUTIVE SESSION: Mrs. Crane moved, seconded by Mr. Lauderdale that the Board go into Executive Session at 7:32 p.m. to discuss a personnel issue. Upon roll call, carried.

REGULAR SESSION: Mr. Colacino moved, seconded by Ms. Park that the Board resume regular session at 7:43 p.m. Carried.

ADJOURNMENT:

The Chairman announced that the next meeting of the Board is this Thursday, September 23, 2010 at 7:00 p.m. Public Hearing – Certified Home Health Agency – (CHHA)

Mr. Colacino moved, seconded by Ms. Park, that the board adjourn at 7:44 p.m. Carried.

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

18th Day
Thursday, September 23, 2010
7:00 p.m.

The Board of Supervisors met pursuant to adjournment in their room in the Court House, Chairman Hoffman presiding.

Upon roll call, all Supervisors were present except Supervisors Colacino, Hammond, Miller and Plant who were absent.

The meeting was opened with the Pledge of Allegiance, led by Supervisor Spickerman.

County Administrator James Marquette and County Attorney Daniel Wyner were also present for this evening session.

SCHEDULED BUSINESS: Public Hearing – 7:00 P.M.

The Clerk read the following Notice of Public Hearing:

COUNTY OF WAYNE

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Wayne County Board of Supervisors will hold a public hearing on Thursday, September 23, 2010, at 7:00 p.m. in the Supervisors Chambers in the County Court House, 26 Church Street, Lyons, New York, on the following topic:

WAYNE COUNTY CERTIFIED HOME HEALTH AGENCY (CHHA)

This public hearing will be held as part of a Special Meeting of the Wayne County Board on Thursday, September 23, 2010, which begins at approximately 7:00 p.m. or immediately following the opening of the meeting in the Supervisors' Chambers, Wayne County Courthouse, 26 Church Street in the Village of Lyons.

All interested persons are invited to attend this hearing and provide written and/or oral comments regarding whether Wayne County should initiate steps to sell the Certified Home Health Agency, and further, for the Public Health Department to become a Licensed Home Care Agency.

Advertised and Dated: September 13, 2010
Lyons, New York

Sandra J. Sloane, Clerk
Wayne County Board of Supervisors

Prior to opening the floor for the public to comment, Chairman Hoffman read the procedures that are followed for conducting public hearings for the Board. Further, the Chairman added that the purpose of this public hearing is to give everyone the opportunity to express their views on the subject of the Wayne County Certified Home Health Agency. These views become part of the record, which the Board of Supervisors relies on for its findings, conclusions and decisions.

Chairman Hoffman opened the floor for public comment at 7:05 p.m. and requested persons interested in addressing the Board with their comments and concerns on tonight's topic of the Wayne County Public Health Certified Home Health Agency, to come forth.

The follow members of the public attending this hearing, addressed the Board with

their opposition to the County's intent to sell the Certified Home Health Agency:

Mary Talbo
Thomas Talbo
Margaret DerCola
Pamela Taylor
Sharon Yerdon
Barbara Shipley
Betty VanDuyne
Helen Camp
Chris Bilynski
Marty Tertinek
Florence Tripi
Daniel Crandall
Mark Braccio
Marianne DeBellis
Christine Gedury
Fran Shippers
Tom Edwards
Letter was read from
Marlene Donk
Scott Seltzer
Donna Crandall
Letter was read from
Carol Countryman
Gene Shippers
Paul Peters
Terry Ferrara
Crystal West
James Arena
Emilie Sisson
Diane Devlin

The Chairman requested for a motion to close the hearing.

Mr. Lauderdale moved, seconded by Mr. Kelsch, that the hearing be closed at 8:17 p.m.
Upon roll call, carried.

ADJOURNMENT:

The next scheduled meeting of the Board is Tuesday, September 28, 2010 at 9:00 a.m.

Mr. LeRoy moved, seconded by Ms. Park that the board adjourn this evening session at 8:18 p.m. Carried.

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

19th Day
Tuesday, September 28, 2010
9:00 a.m.

The Board of Supervisors met pursuant to adjournment in their room in the Court House,
Chairman Hoffman presiding.

Upon roll call, all Supervisors were present.

The Chairman opened with the Pledge of Allegiance, led by Supervisor Spickerman.

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

APPROVAL OF MINUTES:

Mr. Hammond moved, seconded by Mr. Kelsch, to waive the reading of the minutes of the previous two meetings and approve them as distributed. Upon roll call, carried.

COMMUNICATIONS:

The Clerk of the Board received several e-mail transmissions and telephone calls from Wayne County residents with their questions and concerns regarding the proposed amendment of the Local Law for the Management of Solid Waste in the County of Wayne. The following concerned individuals are hereby noted for the record:

Gail Agelina	Deborah Poray	John Foro
Frank Buttaccio	Killenbeck	Gary and Sheryl
Cheryl Bonnell	Mike Petrus	Boughter
Sherryle Godkin	Michael G Clancy	Bill Krieger
Norm Payne	Ed & Nancy Snyder	Josh and Wendy
Frank Stowell	The McQuade Family	Richmond
Carol and Jim May	Mr. Peteza	Melvin Stickles
John F. O'Brien	David Drexler	Nancy and Lee
Jacalyn Tweedie	Joan and Wayne	Al & Ginny DeWilde
Stu Macdonald	Ferguson	Steve and Michelle
Darcey Patanzo	June Blied	Blied
Jimmy Martin	Robin and Andy	Vicki Sackett
Maris Dzenis	DeRue	Jen and Kirk
Tom Scahill	Victoria Pawlick	Don and Jan McNeil
William Manahan	Mary Ellen Fava	James Wedman
Marilyn Liseno	Ronald and Eleanor	J. Thoms
Jackie Walker	Dave Bieth	Carol Fence

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

PRIVILEGE OF THE FLOOR:

Chairman Hoffman opened the floor at this time for members of the public to address the Board of Supervisors on items listed on the agenda for action.

The following three individuals addressed the Board with their comments on the proposed amendment of the current Local Law for the management of the solid waste program.

Mary Ellen Fava, Town of Sodus	Walter Gilgis, Town of Williamson
Barbara DuBois, Town of Williamson	

RESOLUTIONS:

RESOLUTION NO. 641-10: ADOPTION OF LOCAL LAW AMENDING LOCAL LAW NO. 7-89 AS AMENDED BY LOCAL LAW NO. 3-91 ESTABLISHING A PLAN FOR THE MANAGEMENT OF SOLID WASTE IN THE COUNTY OF WAYNE

Mr. Spickerman presented the following:

WHEREAS, a proposed local law in relation to amending Local Law No. 7-89, as amended by Local Law No. 3-91, Establishing a Plan for the Management of Solid Waste Generated or Originated in the County of Wayne); was presented to the Board of Supervisors on August 19, 2010 and a public hearing on the proposed local law was held by the Board of Supervisors on September 9, 2010 at 7:00 p.m., in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore, be it

RESOLVED, that said local law is hereby adopted to read as follows:

COUNTY OF WAYNE - STATE OF NEW YORK

A Local Law amending Local Law No. 7-89, as amended by Local Law No. 3-91, establishing a Plan for the Management of Solid Waste Generated or Originated in the County of Wayne.

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

SECTION 1: Section II of Local Law No. 7-89 as amended by Local Law No. 3-91 is amended to read as follows:

Section II. Purposes

This law is adopted pursuant to Chapter 627 of the Laws of 1986 of the State of New York to:

- A. Implement a plan for the management of solid waste generated or originated in the County of Wayne, to promote the safety, health and well-being of persons and property within the County of Wayne; and to
- B. Implement the express policy of the State of New York encouraging solid waste volume reduction through recycling.

SECTION 2: Section III of Local Law No. 7-89 as amended by Local Law No. 3-91 is amended to read as follows:

Section III. Definitions

Acceptable Solid Waste means all solid waste which is not hazardous waste, designated recyclable material or unprocessable waste.

Board of Supervisors means the Board of Supervisors of the County of Wayne.

County means the County of Wayne.

Designated Recyclable Materials means recyclable materials designated for source separation by rules and regulations promulgated pursuant to Section IV (A) (2) of this law.

Facility means any properly permitted solid waste management-resource recovery facility employed beyond the initial solid waste collection process which is to be used, occupied or employed for or is incidental to the receiving, transporting, storage, processing, or disposal of solid waste or the recovery by any means of any material or energy product or resource there from including recycling centers, transfer stations, processing systems, resource recovery facilities, sanitary landfills, plants and facilities for composting or land spreading of solid waste, secure land burial facilities, reprocessing and recycling facilities, surface impoundments and waste oil storage, incinerators, and other solid waste disposal, reduction or conversion facilities.

Hazardous Waste means:

1. Waste which appears on the list of hazardous waste promulgated by the Commissioner of the Department of Environmental Conservation pursuant to Section 27-0903 of the Environmental Conservation Law and the regulations there under or waste which exhibits any of the characteristics of hazardous waste identified in 6 N.Y.C.R.R. §371.3.
2. Special nuclear or by-product material within the meaning of the Atomic Energy Act of 1954, as amended.

Person means any natural person, partnership, association, joint venture, corporation, estate, trust, county, city, town, village, improvement district, governmental entity or other legal entity.

Recyclable Materials means solid waste which can be recycled.

Recycling or Recycled means any method, technique or process utilized to separate, process, modify, convert, treat or otherwise prepare solid waste so that its component

materials or substances may be beneficially used or reused as raw materials.

Solid Waste means all putrescible and non-putrescible solid wastes generated or originated within the County, including, but not limited to, materials, or substances discarded or rejected, whether as being spent, useless, worthless or in excess to the owners at the time of such discard or rejection or for any other reason, or are being accumulated, stored, or physically, chemically or biologically treated prior to being discarded, have served their intended use, or are a manufacturing by-product, including, but not limited to, garbage, refuse, and other discarded solid materials, including solid waste materials resulting from industrial, commercial and agricultural operations and from community activities, sludges from air or water pollution control facilities or water supply treatment facilities, rubbish, ashes, contained gaseous material, incinerator residue, demolition and construction debris or offal, but not including sewage and other highly diluted water-carried materials or substances and those in gaseous form, or hazardous waste as defined in this law.

Solid Waste Volume Reduction Program includes source separation, recycling programs, changes to the packaging portion of the waste stream to reduce solid waste generated, the activities and enterprises of scrap dealers, processors and consumers and other programs designed to reduce the volume of solid waste or enhance reclamation and recovery of materials. For purposes of this paragraph, such volume reduction programs shall not include the processing of waste for incineration or disposal by other means.

Source Separation means the segregation of recyclable materials from solid waste at the point of generation for separate collection, sale or other disposition.

Unprocessable Waste means (a) dirt, concrete and other non-burnable construction material and demolition debris; (b) refrigerators, washing machines and similar "white goods"; (c) large items of machinery and equipment, such as motor vehicles and major components thereof (e.g., transmissions, rear ends, springs and fenders), agricultural equipment, trailers and marine vessels, or any other item of waste exceeding six feet in any one of its dimensions; and (d) liquid waste, large concentrations of plastics other than PET and HPDE containers, explosives, oil, sludges, highly inflammable substances, tires, ashes, contained gaseous materials, incinerator residue, and offal.

SECTION 3: Section IV of Local Law No. 7-89 as amended by Local Law No. 3-91 is amended to read as follows:

Section IV. Powers of the Board of Supervisors/Delegation of Powers

A. The Board of Supervisors is authorized and empowered to:

1. Promulgate and publish rules and regulations from time to time which aid in identifying and defining categories of solid waste, including acceptable solid waste, recyclable materials and unprocessable solid waste.
2. Promulgate and publish rules and regulations for a program to implement source separation of recyclable materials and encourage solid waste volume reduction and to maximize the opportunity for the reclamation and recovery of materials. These rules and regulations shall designate recyclable materials to be source separated and prescribe methods of source separation, and may reflect local differences in population density, accessibility and capacity of markets and facilities, collection practices and waste composition. In promulgating such rules and regulations, the Board of Supervisors or its designee shall also consider other on going, proposed or reasonably anticipated future solid waste volume reduction programs and shall not interfere with them.
3. Approve, deny, suspend or revoke Solid Waste licenses or subject a license holder to reprimand, as provided in Section VI.
4. Promulgate, revise, amend, and publish rules, regulations, and orders necessary to carry out the purposes of this law.

SECTION 4: Section V of Local Law No. 7-89 as amended by Local Law No. 3-91 is

amended to read as follows:

Section V. Waste Delivery and Disposal: Source Separation

- C. Subject to promulgation of applicable rules and regulations pursuant to Section IV (A) of this local law, all acceptable solid waste generated or originated within the County must be delivered to a facility.
- B. Designated recyclable materials shall not be commingled with other solid waste, and shall be handled as follows:
 - 1. Prior to initial collection or transport, designated recyclable materials shall be separated, prepared, and set out for collection as provided in the rules and regulations promulgated pursuant to Section IV of this law.
 - 2. Designated recyclable materials shall not be commingled with other solid waste during collection, transportation or storage following collection. The Board of Supervisors or its designee may order such exceptions as they may reasonable determine to be in the public interest.
- C. Any recyclable materials generated or originated in the County may be delivered to a solid waste volume reduction program. All designated recyclable materials must be delivered to either a solid waste volume reduction program or a facility.
- D. Each commercial and residential waste generator in the County shall provide for the removal of recyclables from the property on which they are generated either through a service provided by a private hauler; or by direct haul by the individual waste generator to a disposal location permitted by law.
- E. No person shall dispose of solid waste along the roadside or on public or private property within the County, unless the owner of the property has given his consent, in which case the property owner assumes responsibility for proper disposal of the material.

SECTION 5: Section VI of Local Law No. 7-89 as amended by Local Law No. 3-91 is amended to read as follows:

Section VI. License Requirement

- A. Except as otherwise provided in this Section VI or in the rules and regulations promulgated pursuant to Section IV of this law, no person may engage in the business of collecting, transporting or handling solid waste generated or originated within the County without a solid waste license issued by the Board of Supervisors or its designee pursuant to this law, provided that only persons who collect, transport or handle solid waste for compensation shall be required to obtain a solid waste license.
- B. Persons engaged solely in recycling or a solid waste volume reduction program shall be required to register at no cost with the Board of Supervisors or its designee.
- C. All applications for licenses or renewal of licenses shall be in writing, on a permit application form provided by the County and shall contain such information as required by the rules and regulations promulgated pursuant to this law and shall be verified by the applicant.
- D. This form shall contain or be accompanied by, at a minimum, the following information and items:
 - 1. Name of applicant, street address, and mailing address of principal place of business. Person or persons desiring a permit shall explain ownership interest. Partnerships, corporations or other business entities shall furnish names and mailing addresses of principal owners, officers, managers and supervisors who will be in charge of the operations within the County.
 - 2. A full description of all collection vehicles and equipment owned, leased, or controlled by the applicant which will be used in the collection, transportation and/or disposal of solid waste and/or recyclables generated, originated or brought within the County.

3. Detailed listings of any previous or existing enforcement actions by any environmental regulatory agency for violations of rules relating to solid waste and/or recyclable handling, transport or disposal.
 4. A signed letter of certification, that the applicant has read and is familiar with the terms and conditions of the permit and the provisions of this Local Law; including the Recycling Rules and Regulations (Appendix I) and the Permit Rules and Regulations (Appendix II) that the applicant agrees to operate in accordance with such terms and conditions in the event a permit is issued, and that all the information provided by the applicant is factual.
 5. All persons engaged solely in recycling or a solid waste volume reduction program must maintain all records and supply the Board of Supervisors or its designee with a quarterly report of its activities. Such quarterly report shall include: the tonnage of Recyclables collected in the County and the dates collected; and the market(s) for the Recyclables collected in the County.
 6. A signed letter of certification of ultimate disposal sites for recyclable materials as well as solid waste.
- E. Within ten days of receipt of the properly completed and signed application, the Board of Supervisors or its designee shall either issue a license or inform the applicant in that the license applied for has been denied with an explanation for the denial. The decision shall be sent to the applicant by certified mail.
- F. 1. When the Board of Supervisors or its designee determines that a failure to comply with solid waste license conditions in Section VII (B) of this law may have occurred it shall recommend that the solid waste license application be granted with conditions or denied, or the existing solid waste license be granted with conditions, suspended, revoked or its holder subjected to a reprimand. Notice and an opportunity to be heard shall be provided prior to the denial of a solid waste license application, the suspension or revocation of a solid waste license, or the issuance of a reprimand.
2. The Board of Supervisors or its designee shall notify the affected solid waste license applicant or licensee of the alleged failure in writing. The notice shall include:
- a. a statement of time, place, and nature of the hearing;
 - b. a statement of the solid waste license condition allegedly violated, referring to the pertinent law, rule or regulation; and
 - c. a short and plain statement of the alleged misconduct.
- The notice shall be personally served or sent by registered mail to the applicant or licensee's last known address.
3. Hearings
- a. Hearings shall be held before the Board of Supervisors or its designee within a reasonable period, which shall be at least ten (10) days after the service of the notice.
 - b. The applicant or licensee may be represented by counsel at the hearing, and may offer evidence and cross-examine witnesses.
 - c. Within twenty (20) days after the close of the hearing, the Board of Supervisors or its designee shall:
 - i. determine whether the alleged failure to comply with a solid waste license condition has occurred; and
 - ii. if it is determined that such a failure has occurred, decide whether the solid waste license application shall be denied, or an existing solid waste license shall be suspended, revoked, or its holder subjected to a reprimand; and issue an order carrying out its decisions; and
 - iii. if it is determined that such a failure has not occurred, the Board of Supervisors or its designee shall approve the issuance of a solid

waste license.

4. Determination, Decisions and Orders.
 - a. Disposition may be made by stipulation, agreed settlement, consent order, default or other informal method.
 - b. A final determination, decision or order adverse to a party shall be in writing and shall include a statement of facts and reasons supporting the determination, decision or order.
5. The Board of Supervisors or its designee shall promptly notify the applicant or licensee in writing of its final determination, decision or order. Such determination, decision or order shall become effective fifteen (15) days after the date of service or mailing.
6. Renewal licenses shall be applied for and issued in the same manner and subject to the same requirements as original licenses, and also shall be subject to any additional requirements in effect at the time of application for renewal. A complete and timely submitted application for renewal shall result in the applicant's existing license remaining in effect until the renewal application is acted upon by the Board of Supervisors or its designee.
7. Failure to pay fees and charges as established from time to time shall constitute a violation of this law.

SECTION 6: Section VII of Local Law No. 7-89 as amended by Local Law No. 3-91 is amended to read as follows:

Section VII. Issuance and Conditions of Solid Waste License

A. Solid Waste License Issuance

1. Solid waste licenses must be obtained and renewed annually from the County.
2. The solid waste license fee for each vehicle used to collect or transport solid waste by or on behalf of the licensee shall be established by resolution of the Board of Supervisors.
3. A solid waste license sticker shall be prominently displayed on each vehicle operated by or on behalf of the licensee as provided by the rules and regulations.

B. Conditions of Solid Waste License

Solid waste licenses and renewals shall be subject to the following conditions:

1. All licensees must comply with this law and the rules, regulations, and orders promulgated pursuant to this law.
2. All licensees, as a term and condition of being issued a solid waste license, shall agree to defend, indemnify and hold harmless the County of Wayne for any pending, threatened or actual claims, liability or expenses arising from waste disposal by the licensee in violation of this law.
3. All Waste Haulers in the County shall offer or cause to be offered to their customer's collection, transportation and service for Recyclables to the same extent any such waste hauler offers collection, transportation and disposal services for solid waste.
4. All Waste Haulers must maintain all records and supply the Board of Supervisors or its designee with a quarterly report of its activities. Such quarterly report shall include: the tonnage of Solid Waste collected in the County and the dates collected in the County; the location of disposal of Solid Waste collected in the County; the tonnage of Recyclables collected in the County and the dates collected; and the market(s) for the Recyclables collected in the County.
5. Quarterly reports shall be provided no later than thirty (30) days after the end of the quarter with the first quarter being January, February and March; the second quarter being April, May and June; the third quarter being July, August and September; and the fourth quarter being October, November and

December.

SECTION 7: Section IX of Local Law No. 7-89 as amended by Local Law No. 3-91 is amended to read as follows:

Section IX. Civil Remedies: Criminal Penalties

A. Civil Remedies

The County may commence a civil action to enjoin or otherwise remedy any failure to comply with this law or the rules, regulations and orders promulgated pursuant to this law.

B. Criminal Penalties

1. Failure to comply with the rules and regulations promulgated pursuant to Section IV(A) subparagraphs 1 and 2 of this law or with the provisions of Section V(B)(1) of this local law shall be a violation as defined in Section 55.10 of the Penal Law. Any person convicted of such a violation shall be liable for:

- a. A fine of \$25.00 for the first conviction;
- b. A fine of \$50.00 for the second conviction
- c. A fine of \$100.00 for the third conviction
- d. fine of \$250.00 for the fourth conviction and each succeeding conviction; or
- e. Imprisonment for a term not to exceed fifteen days.

Each day such violation occurs or continues shall constitute a separate offense.

2. Failure to comply with Sections V (A), V (B) (2) V(C), VI(A) of this local law shall be a violation as defined in Section 55.10 of the Penal Law. Any person convicted of such a violation shall be liable for:

- a. A fine of \$250.00 for the first conviction;
- b. A fine of \$500.00 for the second conviction and each succeeding conviction; or
- c. Imprisonment for a term not to exceed fifteen days.

Each day such violation occurs or continues shall constitute a separate offense.

C. Any penalties or damages recovered or imposed under this law are in addition to any other remedies available at law or equity.

SECTION 8: Section X of Local Law No. 7-89 as amended by Local Law No. 3-91 is repealed in its entirety.

SECTION 9: Section XI of Local Law No. 7-89 as amended by Local Law No. 3-91 is renumbered section X.

SECTION 10: Section XII of Local Law No. 7-89 as amended by Local Law No. 3-91 is renumbered section XI.

SECTION 11: Section XIII of Local Law No. 7-89 as amended by Local Law No. 3-91 is repealed and replaced with a new Section XII which reads as follows:

Section XII: Effective Date

The provisions of this Law shall become effective on January 1, 2011. The Clerk of the Board of Supervisors shall give notice of the effective date of this local law by publishing notice thereof at least once in the official newspapers of the County, not less than thirty (30) days prior to said effective date.

and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to number the local law in conformance with the filing requirements of the Secretary of State and to file the local law with the Secretary of State in accordance with the provisions of the Municipal Home Rule Law of the State of New York.

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

Board members requested the floor to convey their decision of support or opposition regarding the proposed amendments of the current local law for Wayne County recycling.

After several minutes of comment, the Chairman called for a vote.

Upon roll call, all Supervisors voted Aye, except Supervisors Colacino, Groat, Crane and Manktelow who voted Nay. The Chairman declared the Resolution adopted.

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

OTHER BUSINESS:

Mr. Plant moved, seconded by Mr. Manktelow that three (3) resolutions be allowed on the floor under other business. Upon roll call, all Supervisors voted Aye. Motion carried.

RESOLUTION NO. 642-10: AUTHORIZATION TO CONTRACT WITH VARGAS ASSOCIATES, INC. FOR RELOCATION CONSULTANT SERVICES

Mr. Spickerman presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for Request for Proposals for relocation services for the moving of various County Departments into the Public Safety Building and the county received only one response, from Vargas Associates, Inc.; and

WHEREAS, a selected group from the Building Relocation Committee interviewed Vargas Associates, Inc. and determined them to be qualified to provide the services required for this move and terms and a scope for the provision of required services have been determined; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an agreement with Vargas Associates, Inc. for the purposes of providing the Relocation Consultant Services not to exceed \$50,215.00.

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

RESOLUTION NO. 643-10: AUTHORIZATION TO CONTRACT WITH IBC ENGINEERING, P.C. FOR COMMISSIONING SERVICES

Mr. Spickerman presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for Request for Proposals for Commissioning Services for the commissioning of various systems and equipment located in the new Public Safety Building and the county received two responses, IBC Engineering P.C. and Turner Engineering, P.C.; and

WHEREAS, a selected group from the Building Relocation Committee interviewed both firms, and determined that both firms were qualified, and through further discussion recommended to contract with IBC Engineering, PC. for this project and terms and a scope for the provision of required services were determined; now therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an agreement with IBC Engineering, P.C. for the purposes of providing Commissioning Services in the amount of \$37,250.

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

RESOLUTION NO. 644-10: AUTHORIZATION TO APPROVE CHANGE ORDER FOR HOLDSWORTH KLIMOWSKI FOR ADDITIONAL SITE WORK AND PAVING

Mr. Spickerman presented the following:

WHEREAS, RFP GC-83 was issued for the provision of additional removal of and provision for new black top in the area north of the Old Civil Defense Bunker as a result of excavation and gas line relocation work associated with the project and Holdsworth Klimowski has prepared and submitted a formal quote that has been reviewed and approved by SWBR and Watchdog Building Partners; now, therefore, be it

RESOLVED, that RFP GC-83 be approved in the amount of \$33,699.00; and be it further

RESOLVED, that the County Treasurer is hereby directed to amend the 2010 County Budget as follows:

H1925-CO. BLDG. RENOVATION-ONH:

\$33,699.00 to .52813 General Trades

\$33,699.00 from .52818 Contingency

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

County Administrator Marquette announced to Board members that the Wayne County Fiscal Manager, Keith Kubasik, had submitted his notice of retirement, effective October 26, 2010.

ADJOURNMENT:

The next scheduled meeting of the Board is Tuesday, October 19, 2010 at 9:00 a.m.

Mr. Kelsch moved, seconded by Mrs. Crane, that the board adjourn at 9:56 a.m. Carried.

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

20th Day
Tuesday, October 19, 2010
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 Spickerman, 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:

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

COMMUNICATIONS:

The Clerk read the following:

A copy of the Sheriff's Cash Receipts Report for the month of October 2010 in the amount of \$15,263.70.

A letter of resignation from Linda Harissis, Wayne County Auditor, effective October 29, 2010.

The Board received Notification from the NYS Office for the Aging of revisions to certain Grant Awards for several state programs for the period April 1, 2010 through March 31, 2011.

The Board received e-mail communication for the following concerned Wayne County citizens regarding the matter to possibly initiate steps to sell the Certified Home Health Agency:

Janet Freeman, Michael Kise, Marlene Donk, Carol Countryman and Terry Yonker.

A copy of the Petition and Notice of Foreclosure for 2009 Delinquent Town and County Taxes was received and filed from the Wayne County Treasurer's Office.

A recommendation letter listing encountered inspection issues was received from Deborah Babbitt-Henry, Code Compliance Specialist from the NYS Department of State.

Copies of Resolutions from the Seneca Board of Supervisors regarding the renaming of a street and proclaiming a day in September to honor Governor David A. Paterson.

Notices of Public Hearings to be conducted by the Wayne County Industrial Development Agency for the following projects:

Empire Fruit Growers Co-Op, Inc. Nov. 8, 2010 at 9:30 am Town of Huron Town Hall

Kairos, LLC & Ankom Tech. Corp Nov. 5, 2010 at 9:30 am Town of Macedon Town Hall

A letter from the NYS DEC regarding their invitation for residents to submit written comment on a proposed remedy being reviewed by the NYS DEC to address off-site contamination relating to the Garlock Sealing Technologies Brownfield site in Palmyra.

A copy of the County Auditor's accounts payable report for October 2010 totaling \$4,881,746.95.

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

BIDS:

Fire Station Base Radio Installation Project

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

ANNUAL REPORTS:

Sodus Point Park 2010 End-of-the-Year Report

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

PROCLAMATION:

Sheriff Barry Virts read the proclamation, with Robert Plant, Chairman of the Public Safety Committee, Deborah Coons, Coordinator of Victim/Witness Services, Robin Cannie and Maureen Berson of the Victim Resource Center of Newark, declaring Domestic Violence Awareness Month for the month of October 2010.

PRIVILEGE OF THE FLOOR:

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

SCHEDULED BUSINESS:

Mrs. Collier addressed the Board regarding the purpose for the Chairman of the Board establishing the 21st Century Committee and to update them on this Committee's progress. The Chairman formed this Committee in response to a State's Commissioner of Property Tax Relief Report stating the need to increase government efficiencies and streamline operations. This Committee looked into several areas of County operation that could possibly be consolidated and continues to look into cost cutting measures that would be in the best interest of the County.

Mr. Groat wanted it noted for the record that as a member of the 21st Century Committee, he does not completely agree with Mrs. Collier's report as this does not necessarily reflect his opinion.

Pamela Ferranti, President of the Wayne County Fair Board, was in attendance to receive a plaque signifying the first County Board meeting held at the Wayne County Fair.

Ms. Ferranti accepted the plaque, on behalf of the Fair Board, and sincerely thanked all Board members for their ongoing cooperation and continued financial support. She added that they look forward to future board meetings being held at the Wayne County Fair.

On behalf of the Board, Supervisor Spickerman read a Resolution in Memoriam for the passing of former Supervisor Peter Densmore from the Town of Butler.

RESOLUTION NO. 645-10: IN MEMORIAM – PETER DENSMORE

Mr. Spickerman presented the following:

WHEREAS, Peter Densmore served Wayne County as Supervisor for the Town of Butler from January 1, 1982– December 31, 1987. Throughout his years of service, he diligently served the Citizens of Wayne County with loyalty and dedication. His death is a great loss to his family and the community; now, therefore, in memory of his service to the people of Wayne County, be it

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

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

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

RESOLUTION NO. 646-10: AUTHORIZATION FOR BUDGET MODIFICATION TO 7311 YOUTH RECREATION PROGRAM

Mrs. Crane presented the following:

WHEREAS, a boat buoy is needed for Sodus Point and the Marine Rescue Products has the lowest price and the following budget modifications are recommended to reflect those changes and to maximize the state revenue reimbursement; now, therefore, be it

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

Account No. A 7311 – Youth Recreation Program

\$1,059 from .51461 Lifeguard

\$1,059 to 54100 Supplies & Materials

and be it further

RESOLVED, that the Director is hereby authorized to purchase a boat buoy from Marine Rescue Products for \$265 and other supplies needed at the Sodus Point Beach.

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

RESOLUTION NO. 647-10: AUTHORIZING THE WAYNE COUNTY NURSING HOME TO CONTRACT WITH NURSEFINDERS FOR 2011

Ms. Park presented the following:

WHEREAS, the contract between the County of Wayne and Nursefinders, Canandaigua, New York for Registered Nurse and/ or Licensed Practical Nurse coverage expires on December 31, 2010 and the Wayne County Nursing Home wishes to renew said contract for the period of January 1, 2011– December 31, 2011 at the same rates as 2010; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized and directed to execute an agreement, subject to the County Attorney's approval as to form and content and the approval of the 2011 budget, with Nursefinders for the provision of Registered Nurse and /or Licensed Practical Nurse coverage at the Wayne County Nursing Home effective January 1, 2011 to December 31, 2011 at the following rates:

RN Specialty	\$57.50 per hour	\$86.25 per hour overtime
RN	\$49.50 per hour	\$74.25 per hour overtime
LPN	\$39.50 per hour	\$59.25 per hour overtime

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

RESOLUTION NO. 648-10: AUTHORIZING CONTRACT FOR PODIATRY SERVICES FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the contract between the County of Wayne and Dr. Douglas Ring, DPM, a Licensed Podiatrist, for provision of podiatry services expires on December 31, 2010 and the Wayne County Nursing Home wishes to renew said contract for the period of January 1, 2011 - December 31, 2011 for a fee of \$23.00 per resident visit, the same fee as 2010; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute the agreement with Dr. Douglas Ring, DPM, for provision of podiatry services at the Wayne County Nursing Home effective January 1, 2011 at \$23 per resident visit; subject to the County Attorney's approval as to form and content, and approval of the 2011 budget.

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

RESOLUTION NO. 649-10: AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN AN AGREEMENT BETWEEN THE NURSING HOME AND STERICYCLE

Ms. Park presented the following:

WHEREAS, the contract between the County of Wayne and Stericycle for providing medical waste pickup and disposal services expires on December 31, 2010 and the Wayne County Nursing Home wishes to renew said contract for the period of January 1, 2011 – December 31, 2013 at a fee of \$242 a month based on thirteen (13) stops a year and any additional stops at \$150; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute the agreement with Stericycle for provision of medical waste pickup and disposal services for the Wayne County Nursing Home effective January 1, 2011 to December 31, 2013 at a fee of \$242 per month, based on thirteen (13) stops a year and any additional stops at \$150; subject to the County Attorney's approval as to form and content and the approval of the 2011 budget.

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

RESOLUTION NO. 650-10: AUTHORIZING CONTRACT FOR SOCIAL WORK SERVICES FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the contract between the County of Wayne and Maria Gigliotti, a certified Social Worker, for the provision of social work services expires on December 31, 2010 and the Wayne County Nursing Home would like to renew said contract for the provision of Social Work Consultant services for the period of January 1, 2011 - December 31, 2011 for a fee of \$51.50 per hour, the same rate as 2010; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute the agreement with Maria Gigliotti for provision of Social Work Consultant services for the Wayne County Nursing Home, effective January 1, 2011 to December 31, 2011 for a fee of \$51.50 subject to the County Attorney's approval as to form and content and the approval of the 2011 budget.

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

RESOLUTION NO. 651-10: AUTHORIZING THE CHAIRMAN OF THE WAYNE COUNTY BOARD OF SUPERVISORS TO EXECUTE AN AGREEMENT, BETWEEN THE WAYNE COUNTY NURSING HOME AND TRAVELING EYE CARE

Ms. Park presented the following:

WHEREAS, the current contract with Traveling Eye Care expires December 31, 2010 and Traveling Eye Care provides in-house services to the resident at no cost to the nursing home and the Wayne County Nursing Home wishes to renew the contract with Traveling Eye Care, for the period of January 1, 2011 - December 31, 2011; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute the agreement with Traveling Eye Care for the provision of services to residents at the Wayne County Nursing Home effective January 1, 2011 to December 31, 2011 at no cost to the facility; subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 652-10: AUTHORIZATION TO SUBMIT A BUDGET, WORKPLAN AND TO CONTRACT WITH NEW YORK STATE DEPARTMENT OF HEALTH AND HEALTH RESEARCH INC. TO PERFORM EMERGENCY PREPAREDNESS ACTIVITIES

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) currently holds a grant with New York State Department of Health (NYSDOH) , Health Research Inc. to perform mandated Emergency Preparedness activities and WCPH will receive a base award of \$83,789 for the contractual period of August 10, 2010 through August 9, 2011; and

WHEREAS, WCPH wishes to submit a budget, Workplan and contract with NYSDOH Health Research Inc.; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to submit a budget and work plan to the NYSDOH Health Research Inc for the contractual period of August 10, 2010 through August 9, 2011; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign a contractual agreement with the NYSDOH Health Research Inc. for the amount of \$83,789 for the period of August 10, 2010 through August 9, 2011, subject to the approval from the County Attorney as to form and content, for WCPH to perform Emergency Preparedness activities.

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

RESOLUTION NO. 653-10: AUTHORIZATION TO RENT BILLBOARD SPACE FROM LAMAR ADVERTISING FOR AN ANTI-TOBACCO CAMPAIGN THIS FALL

Ms. Park presented the following:

WHEREAS, there is money budgeted for billboard rental for advertising the tobacco prevention program and this advertising is funded 100% by tobacco settlement funds; and

WHEREAS, the cost for the rental of 3 billboards for a minimum of 2 months this fall is \$3870; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to purchase billboard space from Lamar Advertising for the tobacco prevention program to include 3 billboards for a minimum of 60 days from November 1, 2010 until December 26, 2010 for a total of \$3,870.

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

RESOLUTION NO. 654-10: AUTHORIZATION TO SET NEW RATES FOR RELATED SERVICE CONTRACTS FOR WAYNE COUNTY PUBLIC HEALTH

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) must contract for the provision of related services for pre-school age children with handicapping conditions, pursuant to Section 4410 of the Education Law and WCPH is in the process of sending out letters to current Related Services providers inquiring if they will be contracting with WCPH for the contract years of July 1, 2011 through June 30, 2013; and

WHEREAS, WCPH would like to set the rate for Related Services at \$58.00 per half hour for the contract period indicated above; now, therefore, be it

RESOLVED, that the Director of Public Health is authorized to set the rate of \$58.00 per half hour for the contract years of July 1, 2011 through June 30, 2013 for Related Services contracted providers.

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

RESOLUTION NO. 655-10: AUTHORIZATION TO EXECUTE AGREEMENT WITH RUSHVILLE HEALTH CENTER TO PROVIDE IN-KIND DENTAL SUPPLIES FOR SCHOOL-BASED MOBILE DENTAL CLINIC

Ms. Park presented the following:

WHEREAS, Wayne County Public Health has had a long standing collaboration with the Rushville Health Center, Inc. and Rushville Health Center provides dental care in Wayne County school districts (Red Creek, Newark, Newark BOCES, Williamson BOCES, Roosevelt Children's Center, Sodus, North Rose, Wolcott and more) grades one and four to children, and now moving into 7th and higher, who might not otherwise receive the care; and

WHEREAS, the goal of the program is to enhance access to preventive and primary dental services for underserved kids in rural communities, namely, those kids in non-fluoridated and underserved areas and Wayne County Public Health would be responsible for disposable supplies needed for dental services not to exceed \$2,000; now, therefore, be it

RESOLVED, that Wayne County Chairman of the Board of Supervisors is hereby authorized and directed to execute an agreement with the Rushville Health Center Community Dentistry Program on behalf of the County of Wayne subject to the County Attorney's approval as to form and content for the period September 1, 2010 to June 30, 2011 at a cost not to exceed \$2,000.

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

RESOLUTION NO. 656-10: AUTHORIZATION TO SIGN AGREEMENT WITH WORKFORCE DEVELOPMENT FOR PUBLIC HEALTH TO BECOME A WORKSITE SPONSOR FOR THE TANF AND SAFETY NET RECIPIENTS OF WAYNE COUNTY

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) wishes to sign an agreement with Wayne County Workforce Development department to provide a worksite sponsor for TANF and Safety Net Recipients and the work experience activities will be performed at WCPH under direct supervision of a WCPH employee and this agreement will be open ended; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to sign the Worksite Sponsor Agreement with the Wayne County Workforce Development department, with the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 657-10: AUTHORIZATION TO CREATE A DRAW ACCOUNT WITH L-1 IDENTITY SOLUTIONS FOR FINGERPRINTING SERVICES FOR DMV

Mrs. Collier presented the following:

WHEREAS, all Department of Motor vehicles employees who conduct enhanced driver's license transaction must undergo a criminal history record check and the New York State Department of Criminal Justice Services has partnered with L-1 Identity Solutions for the purposes of taking electronic fingerprints of prospective employees; and

WHEREAS, L-1 Identity Solutions requires an electronic payment on the day of the fingerprints are scanned and the total cost is \$116.75 (per prospective employee); now, therefore, be it

RESOLVED, that the Wayne County Clerk is authorized to set up an Draw account in the amount of \$400 with L-1 Enrollment Services.

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

RESOLUTION NO. 658-10: DECLARING OFFICE EQUIPMENT SURPLUS FOR CLERK OF THE BOARD

Mrs. Collier presented the following:

WHEREAS, the Clerk of the Board has determined that an office desk chair is no longer needed in the department; now, therefore, be it

RESOLVED, that one (1) office desk chair is hereby declared surplus and the Superintendent of Buildings and Grounds is hereby authorized to dispose of the item in accordance with County policy.

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

RESOLUTION NO. 659-10: AUTHORIZATION TO TRANSFER FUNDS FROM CONTINGENCY TO THE COMPLIANCE BUDGET

Mrs. Collier presented the following:

WHEREAS, the Board approved Resolution 329-10 which authorized the creation of the Compliance Department and established line item 54456 for printing, total amount \$600.00 and the initial printing of Compliance Policy booklets expended these funds and additional booklets must be printed for the orientation of new staff; now, therefore, be it

RESOLVED, that the County Treasurer is directed to amend the 2010 County Budget as follows:

A 1990 – Contingency Fund General:

\$125.00 from .54000 Contractual Expense

A 1041 – Compliance

\$125.00 to .54456 Printing

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

RESOLUTION NO. 660-10: AUTHORIZATION TO EXECUTE CONTRACTS WITH FINGER LAKES COMMUNITY COLLEGE TO PROVIDE PROFESSIONAL DEVELOPMENT TRAINING, AND LEADERSHIP DEVELOPMENT TRAINING

Mrs. Collier presented the following:

WHEREAS, the Board of Supervisors approved resolution 567-07 authorizing a contract with Finger Lakes Community College (FLCC) to establish an employee Professional Development Program and the County of Wayne is desirous of continuing employee training with FLCC; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to enter into two contracts, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Finger Lakes Community College to provide 1) on-site continued professional development courses to all interested County employees at a cost of \$600 per session (maximum 15 participants) and 2) on-site leadership development courses at a cost of \$1,475 per session (maximum 25 participants); and be it further

RESOLVED, that the contract become effective October 1, 2010 and shall continue until modified, amended, or terminated by the parties.

Mr. Kelsch moved the adoption of the resolution. Seconded by Mr. Spickerman. Upon roll call, adopted.

RESOLUTION NO. 661-10: AUTHORIZATION TO EXECUTE DOCUMENTATION; APPOINT OFFICER AND ACCEPT NYS SMALL CITIES COMMUNITY BLOCK GRANT ON BEHALF OF CANDY APPLE PRE-SCHOOL AND CHILD DAY CARE CENTER

Mr. Spickerman presented the following:

WHEREAS, the County of Wayne was awarded a \$750,000.00 Community Development Block Grant (CDBG) administered by the New York State Office of Community Renewal on behalf of Candy Apple Day Car, Candy Apple Pre-School and Child Day Care Center New York on August 26, 2010; now, therefore, be it

RESOLVED, the County of Wayne accepts Grant #1219PF133-10 approved under the New York State Small Cities Community Block Grant Program on behalf of Candy Apple Pre-School and Child Day Care Center New York; and be it further

RESOLVED, the Chairman of the Board of Supervisors, Wayne County, New York, is hereby authorized as the official representative of the County to execute the CDBG Grant Agreement, all understandings and assurances contained therein, and is hereby directed and authorized to act in connection with the implementation of the program and to provide such additional information as may be required; and be it further

RESOLVED, the Chairman of the Board of Supervisors, Wayne County, New York is authorized to execute a Grant Agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Candy Apple Day Car, Candy Apple Pre-School and Child Day Care Center New York for the disbursement of the Grant proceeds under guidelines approved by the State of New York; and be it further

RESOLVED, the Chairman of the Board of Supervisors, Wayne County, New York is authorized to execute an Administrative Agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the Wayne County Industrial Development Agency for the operation and administration of the Grant under guidelines approved by the State of New York; and be it further

RESOLVED, the Chairman of the Board of Supervisors, Wayne County, New York appoints Sharon Lilla as the Certifying Officer responsible for all activities associated with the environmental review process to be complete in conjunction with the Grant.

Mr. Colacino moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, adopted.

RESOLUTION NO. 662-10: AUTHORIZATION TO ENTER INTO AGREEMENT WITH TROY AND BANKS TELECOMMUNICATIONS CONSULTANT SERVICES

Mr. LeRoy presented the following:

WHEREAS, the Buildings and Grounds Department will be changing phone services for dial tone and Emergency Management has numerous lines for special services that will require special attention in the upcoming relocation of the Emergency Management offices; and

WHEREAS, Troy and Banks is a Telecommunications consultant that can provide Wayne County with valuable services during this process; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an agreement with Troy and Banks as per their standard terms, and subject to approval by the County Attorney as to form and content, to compensate the vendor 25% of the savings that they identify.

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

RESOLUTION NO. 663-10: AUTHORIZING COUNTY/TOWN CONTRACTS FOR SNOW

AND ICE CONTROL ON WAYNE COUNTY HIGHWAYS

Mr. LeRoy presented the following:

WHEREAS, Wayne County is proposing to enter into an agreement with the towns for snow and ice services for the 2010-2011 season and the reimbursements will be based on actual time and material expended by each town and a per trip cost will be negotiated with each town based on their expenses and the application rates/ratios; and

WHEREAS, the towns will be required to keep a log of trips that will be submitted to the county for reimbursement on a monthly basis; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute County/Town contracts for snow and ice control on County Highway during the 2010-2011 winter season, subject to the County Attorney's approval as to form and content.

Mr. Kelsch moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, adopted.

RESOLUTION NO. 664-10: AUTHORIZATION TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH THE NYSDOT FOR ADDITIONAL FUNDS FOR THE CHRISTIAN HOLLER BRIDGE REHABILITATION PROJECT

Mr. LeRoy presented the following:

WHEREAS, the Christian Holler Road Bridge Rehabilitation project required additional funds to cover costs associated with extending excavation and paving limits; and the original agreement with the NYSDOT was in the amount of \$225,000 (resolution 203-09); and

WHEREAS a supplemental agreement with Silverline Construction in the amount of \$30,822 was prepared and approved (resolution 566-10) for the additional construction work and these additional funds will be 100% federal Funds with no local match; 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 the NYSDOT for an additional \$30,000.

Mr. Manktelow moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, adopted. Upon roll call, adopted.

RESOLUTION NO. 665-10: AUTHORIZATION TO SUBMIT A TRANSPORTATION PLANNING PROPOSAL TO THE GENESEE TRANSPORTATION COUNCIL FOR A SIDEWALK STUDY ON THE GANANDA PARKWAY IN MACEDON AND WALWORTH

Mr. LeRoy presented the following:

WHEREAS, the Genesee Transportation Council (GTC) is currently soliciting for Planning proposals for consideration in the 2011-2012 Unified Planning Work Program (UPWP) and the Wayne County Highway Department wishes to submit a proposal to study the need for sidewalks and other pedestrian accommodations along the Gananda Parkway within the Towns of Macedon and Walworth; and

WHEREAS, it is estimated that the study will cost \$65,000 of which \$5000 will be a local share and \$60,000 will be UPWP Federal Funds and if funded, this study will provide the design recommendations and will also serve as a basis to request additional funding for the construction of the pedestrian facilities; now, therefore, be it

RESOLVED, that the County Highway Superintendent is hereby authorized to submit a proposal to the Genesee Transportation Council.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Manktelow. Upon roll call, adopted.

RESOLUTION NO. 666-10: AUTHORIZATION TO EXECUTE MOTOROLA SERVICE AGREEMENT

Mr. Plant presented the following:

WHEREAS, Wayne County 911 maintains a service agreement with Motorola for 24/7 service of certain essential radio transmitters and related equipment that are part of the public safety radio communications system and Motorola has presented a service agreement renewal for the contract period of October 1, 2010 through September 30, 2011, at a total contract price of \$11,811.24; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute a service agreement with Motorola for the maintenance and repair of certain specified Wayne County 911 radio infrastructure equipment, at a cost not to exceed \$11,812, with such agreement subject to the approval of the County Attorney as to form and content.

Mr. Colacino moved the adoption of the resolution. Seconded by Mr. LeRoy. Upon roll call, adopted.

RESOLUTION NO. 667-10: AUTHORIZATION TO ACCEPT GRANT FROM THE US DEPARTMENT OF HOMELAND SECURITY FOR BORDER PROTECTION

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office has been awarded a grant from the US Department of Homeland Security for border protection called "Stonegarden 2009," totaling \$152,080 and said grant monies are designated for the purchase of fingerprint processing and identification equipment, totaling \$37,267; US Border Patrol interoperable communications equipment for the 911 Center, totaling \$53,825; license plate reader equipment, totaling \$28,000; vehicle fuel/mileage/maintenance costs, totaling \$1,548; and overtime for border security operations in conjunction with the US Border Patrol, totaling \$31,400; and

WHEREAS, there is no cash match for said grant and the Wayne County Sheriff is the administrator of said grant; now, therefore, be it

RESOLVED, that the Sheriff be authorized to accept the "Stonegarden 2009" grant from the US Department of Homeland Security, and 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, upon review and approval of the County Attorney; and it be further

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to amend the 2010 County Budget as follows:

Account No A3114-Road Patrol

\$119,092 to .52500 Other Equipment

\$119,092 to .43302 Homeland Security Federal

Account No A3114-Sheriff

\$31,440 to .51904 Overtime

\$31,440 to .43302 Homeland Security Federal

Account No A3114-Sheriff

\$1,548 to .54114 Car Expense

\$1,548 to .43302 Homeland Security Federal

Mr. LeRoy moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

RESOLUTION NO. 668-10: AUTHORIZATION TO ACCEPT BID AND EXECUTE CONTRACT FOR THE FIRE STATION BASE RADIO INSTALLATION PROJECT

Mr. Plant presented the following:

WHEREAS, the Clerk of the Board of Supervisors duly advertised for bids for the Fire Station Base Radio Installation Project and the project is a phase of the Interoperable Communications Project, and includes the installation of base radios, power supplies and paging encoders into the 29 fire stations in the county; and

WHEREAS, the following bids were received and reviewed by the 911 Coordinator

and the Public Safety Committee:
BIDDER: Furman Communications Inc. \$87,827.00
PO Box 200
Savannah, NY 13146

now, therefore, be it

RESOLVED, that the County of Wayne hereby accepts the bid submitted by Furman Communications Inc.; and be it further

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute an agreement between the County of Wayne and Furman Communications Inc. in the amount of \$87,827 relative to the aforementioned bid, with such agreement subject to the approval of the County Attorney as to form and content.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Lauderdale. Upon roll call, adopted.

RESOLUTION NO. 669-10: AUTHORIZATION TO AMEND BUDGET, TRANSFER FUNDS AND PURCHASE AED CABINET FOR FIRE TRAINING BUILDING

Mr. Plant presented the following:

WHEREAS, there is to purchase an AED Wall Cabinet for the AED currently located in the Fire Training Building and there is available on state contract said equipment and due to the delay in the hiring of the Planner/Trainer position, Wayne County Emergency Management has funding available in the 2010 budget to obtain said equipment; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to amend the 2010 county budget as follows:

A3640-Emergency Management:
\$232.00 from .51575 EM Training Officer
\$232.00 to .52200 Office Equipment

RESOLVED that the Director of Emergency Management is hereby authorized to purchase the necessary equipment and supplies for the benefit of the Fire Coordinator's Office.

Mr. Kelsch moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

RESOLUTION NO. 670-10: AUTHORIZATION TO AMEND BUDGET AND EXPEND GRANT FUNDS TO PURCHASE STORAGE CONTAINERS FOR WAYNE COUNTY EMERGENCY MANAGEMENT OFFICE FIELD SURVEY TEAMS

Mr. Plant presented the following:

WHEREAS, Resolution No. 710-08 authorized the acceptance of grant funds and the execution of a contract with NYS Homeland Security and the equipment listed as follows was approved by NYS as acceptable use of the grant funding and all of the equipment to be purchased is available under NYS OGS purchasing contract and this equipment is necessary for the storage and transportation of equipment used by the Emergency Management Office Field Survey Teams; now, therefore, be it

RESOLVED that Wayne County Emergency Management is authorized to purchase the following equipment:

Storage Containers \$2,926
and be it further

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to increase the following accounts:

A3640-EMERGENCY MANAGEMENT OFFICE:
\$2,926 to .44306 Homeland Security
\$2,926 to .52203 Homeland Security Equipment

Mr. LeRoy moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

RESOLUTION NO. 671-10: AUTHORIZATION TO EXECUTE AFFILIATION AGREEMENT FOR A STUDENT INTERN FOR THE PROBATION DEPARTMENT

Mr. Plant presented the following:

WHEREAS, Wayne County Probation periodically agrees to have both undergraduate and graduate students participate in internships through various institutions and the Probation Department has agreed to have a student participate in an internship through the State University of New York, Canton College of Technology; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute said Affiliation Agreement.

Mrs. Crane moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted.

RESOLUTION NO. 672-10: AUTHORIZATION TO TRANSFER MONEY FROM THE COUNTY CONTINGENCY FUND TO THE PUBLIC DEFENDER'S APPEALS LINE

Mr. Plant presented the following:

WHEREAS, the Wayne County Public Defender's Office is assigned appeal cases by local and Wayne County Court Judges and the Wayne County Public Defender's Office assigns appeals to attorneys outside of the Public Defender's Office due to conflict and/or complexity issues involved in the case and due to the lengthy times that appeal matters can be pending in the court systems, it is unknown how long an appeal case will be pending or when to expect vouchers from the assigned appellate attorneys and an annual estimated sum of \$15,000 is placed in Wayne County Public Defender's budget for appeals under line item 54502; and

WHEREAS, line item 54502 has been exhausted and the Wayne County Public Defender's Office has received further vouchers from appellate attorneys for their services, currently in the sum of \$ 3,500; now, therefore, be it

RESOLVED, that the Wayne County Treasurer's Office will transfer the sum of \$ 3,500 to line 54502 of the Wayne County Public Defender to cover these outstanding vouchers; and be it further

RESOLVED, that the Wayne County Treasurer's Office amend the 2010 County Budget as follows:

A1170-PUBLIC DEFENDER:

\$3,500.00 to .54502 Appeal Service

A1990-CONTINGENT FUND GEN:

\$3,500.00 from .54000 Contractual Expense

Mr. Colacino moved the adoption of the resolution. Seconded by Mr. Manktelow. Upon roll call, adopted.

RESOLUTION NO. 673-10: AUTHORIZATION TO PURCHASE REPLACEMENT SECURITY SERVER FOR INFORMATION TECHNOLOGY

Mr. Hammond presented the following:

WHEREAS, the current security server has had multiple disk failures, is currently working in a degraded state; and is no longer under warranty and this server performs the login and authentication process for all users of the network and IT needs to continue to separate out these security functions to minimize downtime, as the network has expanded to more users and functions and there is money still available in A16802-52201 that was not spent on previously budgeted items to cover the cost of this replacement; not to exceed \$4,225; and

RESOLVED, that the Director of Information Technology is hereby authorized to purchase the Security server from account A16802-52201, at a cost not to exceed \$4,225.

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

RESOLUTION NO. 674-10: RESOLUTION CREATING FISCAL ASSISTANT TO COUNTY ADMINISTRATOR POSITION, ABOLISH FISCAL MANAGER POSITION, SET SALARY, AND AUTHORIZING COUNTY ADMINISTRATOR TO FILL POSITION

Mr. Hammond presented the following:

WHEREAS, the Fiscal Manager has advised the County Administrator in writing that it is his intention to retire effective October 26, 2010 and in consultation with the Human Resources Director, the County Administrator has reviewed and revised the position duties and is recommending a position title change and the position and function is an integral part of the County's Management Team and it is necessary and desirable to recruit for and fill this position as soon as possible; now, therefore, be it

RESOLVED, that the Management/Confidential position of Fiscal Assistant to County Administrator is hereby created and that the Management Confidential position of Fiscal Manager is hereby abolished effective October 26, 2010; and be it further

RESOLVED, that the annualized salary for the Fiscal Assistant to the County Administrator position shall be up to \$70,000 depending upon qualifications; and be it further

RESOLVED, that the County Administrator is authorized to post, advertise, and fill the Fiscal Assistant to County Administrator position; and be it further

RESOLVED, that the County Treasurer is hereby authorized to make the following adjustments to the 2010 budget:

A1230 County Administration

\$5,300 from .51326 Fiscal Manager

\$5,300 to .51586 Fiscal Assistant to County Administrator

Several questions were raised regarding the position of Fiscal Assistant to the County Administrator, including input from the Board for the interview and selection process, the suggestion of combining this position with the County Auditor and/or the future position of Purchasing Officer.

County Attorney Wyner stated that the County Auditor position was designed by specifications referenced within County Law. Clarification was made to Board members that the County Auditor reports to the Finance Committee and the proposed Fiscal Assistant position will report to the County Administrator/Budget Officer. It was also noted that the positions are incompatible with one another and must remain separate.

Further discussion involved concerns with the Fiscal Assistant filling in for the County Administrator in his absence; and if the County Administrator position were vacant, would we be forced to keep the Fiscal Assistant in place.

Mr. Wyner noted that if the position was a competitive one that it would not be protected by the union.

Mrs. Collier stated that the Fiscal Assistant has to work as a team player, with everyone, as well as the County Administrator, as it is imperative that we have a strong administrative team in place. She supports Mr. Marquette choosing his own assistant.

Ms. Park moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, all Supervisors voted Aye, except Supervisor Groat and Manktelow who voted Nay. The Chairman declared the Resolution adopted.

RESOLUTION NO. 675-10: AUTHORIZATION TO AMEND THE 2010 LEGAL DEFENSE OF INDIGENTS BUDGET

Mr. Hammond presented the following:

WHEREAS, revenues and expenditures have or will be exceeding line items for 2010 and will require line item transfers and amending the 2010 County Budget for the Legal Defense of Indigents will allow for continued expenditure of funds; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to amend the 2010 County Budget as follows:

A1172-LEGAL DEFENSE OF INDIGENTS:

\$ 4,000.00 to .54000 Contractual Expense
\$20,500.00 to .54505 Assigned Counsel-Family
\$11,310.00 from .54507 Assigned Counsel-Felony
\$ 8,000.00 to .54556 Assigned Counsel-Misdemeanor

Mrs. Crane moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted.

RESOLUTION NO. 676-10: AUTHORIZATION TO ENTER INTO A PERMANENT EASEMENT WITH MIZKAN AMERICAS, INC.

Mr. Hammond presented the following:

WHEREAS, Mizkan Americas Inc., 7376 Sodus Center Road, Sodus, New York has since 1974 had an existing underground pipe which conveys their products to and from storage tanks located across from railroad tracks leased by Ontario Midland Railroad from the County of Wayne; and it has been determined that said pipes have reached the end of their useful life and need to be replaced and Ontario Midland Railroad has reviewed and approved drawings for said pipe replacement submitted by Mizkan Americas Inc. and Ontario Midland Railroad has issued a work permit based on said drawings dated August 29, 2010, which will be executed upon receipt of insurance certificates and approval from Wayne County for an easement; and

WHEREAS, by letter dated September 17, 2010 from Ted Powley, Plant Manager for Mizkan Americas Inc., Mizkan Americas Inc has formerly requested that Wayne County grant an easement regarding the above mentioned underground pipe project and upon due deliberation the Wayne County Board of Supervisors is willing to grant Mizkan Americas Inc said easement at no cost providing that Mizkan Americas Inc agrees to indemnify the County of Wayne and maintain insurance coverage naming the County of Wayne and Ontario Midland Railroad as additional insured together with paying any expenses associated with said easement; now, therefore, be it

RESOLVED, that Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into an easement with Mizkan Americas Inc. together with any agreement to effectuate said easement subject to the approval of the Wayne County Attorney; and be it further

RESOLVED, that there shall be no charge to Mizkan Americas Inc. for the granting of said easement, however, as a condition of the County granting said easement Mizkan Americas Inc. must agree to maintain insurance naming Wayne County and Ontario Midland Railroad as additional insured in accordance with Wayne County requirements and pay for any and all costs associated with the granting and filing of said easement.

Mr. LeRoy moved the adoption of the resolution. Seconded by Mr. Plant.

Mrs. Crane addressed the Board to ask if this was a County road. After confirmation that it was, the Chairman called for a vote. Upon roll call, adopted.

RESOLUTION NO. 677-10: AUTHORIZATION SALE OF PROPERTY IDENTIFIED AS T.M. #71111-05-097862

Mr. Hammond presented the following:

WHEREAS, the County of Wayne acquired title by tax deed, to the property located on Rice Street, which consists of approximately 0.14 acres in the Town of Lyons, Tax Map # 71111-05-097862 and by resolution #458-10 the County offered said property to adjoining landowners and none of said adjoining land owners submitted a bid on said property and Robert Marr II by letter dated August 2, 2010 has submitted a proposal to purchase said property from the County of Wayne for a purchase price of One and 00/100 dollars (\$1.00) together with paying all filing fees and transfer taxes; now, therefore, be it

RESOLVED, that the purchase offer of Robert Marr II regarding property located on Rice Street in the Town of Lyons, Tax Map # 71111-05-097862 for a purchase price of One and 00/100 dollars (\$1.00) together with all filing fees and transfer taxes subject to the

terms and conditions of sale is hereby accepted; and be it further

RESOLVED, the Chairman of the Board of Supervisors, on behalf of the County, is hereby authorized and directed to execute all documents related to said sale, subject to the County Attorney's approval as to form and content and to deliver a quit-claim deed for said property in accordance with the terms and conditions of sale.

Ms. Park moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted.

RESOLUTION NO. 678-10: RESOLUTION SETTING SALARY FOR AND AUTHORIZING ADVERTISING OF POSITION OF COUNTY AUDITOR

Mr. Hammond presented the following:

WHEREAS, the County Auditor has submitted her resignation effective October 29, 2010; and the County Auditor position is necessary to provide oversight for County government and the Board of Supervisors desires to fill the position to complete the balance of the two-year term; now, therefore, be it

RESOLVED, that the annual salary for the County Auditor be set up to \$65,000, and be it further

RESOLVED, that the Wayne County Board of Supervisors hereby appoints an interview and selection committee to include the County Administrator, the Human Resources Director, and the County Treasurer, and three members of the Board of Supervisors designated by the Board Chairman to conduct interviews and to make a recommendation to the Board of Supervisors.

Mrs. Bender moved the adoption of the resolution. Seconded by Mr. Lauderdale.

Mrs. Crane asked if this was the original salary that was first established for this position. County Administrator Marquette replied that the position was originally advertised for \$55,000 but Human Resources did not receive any qualified applicants at that salary rate. It was then changed and re-advertised for \$65,000.

Upon roll call, all Supervisors voted Aye, except Supervisor Groat who voted Nay. The Chairman declared the Resolution adopted.

RESOLUTION NO. 679-10: AMEND NURSING HOME REHAB PROJECT (H1925) PER CHANGE ORDER NUMBERS APPROVED ON OCTOBER 5, 2010

Mr. Hammond presented the following:

WHEREAS, the Building Renovation Committee (BRC) has the authority to approve change orders up to \$10,000.00 for the Old Nursing Home Renovation Project and the BRC met on October 5, 2010 to review the status of the project and reviewed and approved various change orders with in components of the project; and

WHEREAS, the following change orders were reviewed and approved for the General Contractor component: GC-72 increase \$2,625.00 for excavation an abandoned sanitary manhole discovered on site, backfill, transport and rebuild existing manhole in disrepair; GC-80 increase \$1,090.00 for existing portion of exterior wall at door C113 up to underside of existing roof deck was removed, new construction of exterior wall to match existing construction; GC-85 increase \$530.00 for 4 additional drywall chases in Rooms 2018 and C1013 to allow for installation of refrigerant and condensate lines; GC-87 increase \$244.00 for bulkhead installation in order to lower ceiling to conceal duct, electrical and fire protection services in waiting room 1112; GC-89 increase \$195.00 for 2' x3' access panel in linear wood ceiling to allow access to scheduled mechanical unit in vestibule V-1006 for a net increase to the General Contractor component of \$4,684.00; and

WHEREAS, the following change orders were reviewed and approved for the Heating, Ventilation and Air Conditioning component: HVAC-06 increase \$9,990.00 for pricing to provide ductless split system air conditioning unit in Room 1140 and chase for piping included in RFP GC-85 for a net increase to the Heating, Ventilation and Air

Conditioning component of \$9,990.00; and

WHEREAS, the following change orders were reviewed and approved for the Electrical component: EC-21 increase \$152.00 for the motor for the elevator changing horsepower from 30hp to 40hp, a larger, 90amp fuse is required; EC-22 increase \$831.00 for pricing to provide direct buried ¾" PVC conduit from the gas meter equipment mounted on the exterior of the gas meter building to the crawl space along the North wall of the main building, for phone line being installed by owner; EC-23 increase \$534.00 for pricing for additional lighting and exit sign at stairwell S1004; EC-24 increase \$479.00 for pricing for panel cover for surface mounted Panel LEIT, original panel was a 6" deep panel scheduled to be recessed into a 4" fire rated wall for a net increase to the Electrical component of \$1,996.00; and

WHEREAS, the following change orders were reviewed and approved for the Plumbing and Fire Protection component: PC-09 increase \$820.00 for split system units in IT Room 2035 were moved to allow ease of future servicing, as a result, condensation lines had to be relocated for a net increase to the Plumbing and Fire Protection component of \$820.00; and

WHEREAS, the above approved change orders require amendments to the H1925 CO. BLDG. RENOVATION-ONH budget; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to amend Project H1925 CO. BLDG. RENOVATION-ONH as follows:

H1925-CO. BLDG. RENOVATION-ONH:

\$ 4,684.00 to .52813 General Trades

\$ 9,990.00 to .52814 HVAC

\$ 1,996.00 to .52815 Electrical

\$ 820.00 to .52816 Plumbing & Fire Protection

\$17,490.00 from .52818 Contingency

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, adopted.

Chairman Hoffman welcomed Mr. Thomas Crowley and the Newark High School Government Class to today's Board Meeting.

RULE 15 RESOLUTIONS

RESOLUTION NO. 680-10: AUTHORIZATION TO EXECUTE APPLICATION FOR STATE TOURISM MATCHING FUNDS

Mr. Spickerman presented the following:

WHEREAS, that the Wayne County Office of Tourism and Promotion is designated as the Tourist Promotion Agency for the County of Wayne ("County") for the purpose specified in the New York State Promotion Act; now, therefore, be it

RESOLVED, that the Director of Wayne County Office of Tourism and Promotion is hereby authorized to apply on behalf of the County for funding under the 2011 New York State Matching Grant Program for the County Tourism Project

County Share \$ 189,300

State Share \$ 189,300

RESOLVED, that Christine Worth, Project Director is authorized to execute the grant application on behalf of Wayne County.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

RESOLUTION NO. R4-3: AUTHORIZATION TO AMENDMENT TO THE COUNTY BUDGET AND PAYMENT FOR NOTIFICATION LETTERS REGARDING CHANGES TO THE RECYCLING PROGRAM

Mr. Spickerman presented the following:

WHEREAS, changes have recently been made to the Wayne County Recycling Program effective January 1, 2011 and it is prudent to notify Wayne County Residents of these changes and letters notifying the Public of changes to the recently adopted County's Recycling Program need to be printed and mailed and costs associated with this notification were not included in the 2010 Wayne County Budget; now, therefore, be it

RESOLVED, that the costs associated with printing the letters totaling \$4999.50 and mailing the letters to all county residents totaling \$6469.16 are authorized to be paid; and be it further

RESOLVED, that the County Treasurer is authorized to amend the 2010 Wayne County Budget as follows:

A8020 Planning Board

\$6470 to .54166 Postage

\$5000 to .54456 Printing

A1990 Contingent Fund Gen

\$11,470 from .54000 Contractual Expenses

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Plant.

There were several comments and concerns involving the notification letter that would be sent to inform residents of the amendments to the Wayne County recycling program. Questions as to county funds being used for the printing and mailing expense of the notification letter were addressed.

Supervisors have received several calls as to what to do with recyclables now that the Local Law has been amended, effective January 2011. Board Members shared concerns as to the content of this letter containing proper contact information.

Chairman Hoffman stated that he had thoroughly reviewed and will be signing the notification letter, on behalf of the Board, and assured Board Members that proper contact information was included to assist in directing residents with their questions.

It was agreed that a copy of this letter should be distributed to all Board members for their review and possible revision during this meeting.

Mr. Plant moved, seconded by Mr. Kelsch, that this resolution be tabled to the end of the meeting to allow time for reviewing the notification letter. Carried.

OTHER BUSINESS

Mr. LeRoy moved, seconded by Mr. Kelsch that two (2) resolutions be allowed on the floor under Other Business. Upon roll call, carried.

RESOLUTION NO. 681-10: AUTHORIZATION TO EXECUTE CONTRACT WITH TOWN OF LYONS FOR THE DEMOLITION OF THE SHIPPING DOCK ON THE NORTH SIDE OF THE HOTCHKISS BUILDING

Mr. Manktelow presented the following:

WHEREAS, the New York State's Office of Parks, Recreation and Historic Preservation's Environmental Protection Fund Grant requires a match as part of the grant requirements and the Town of Lyons has agreed to demolish the shipping dock on the North side of the Hotchkiss Building as part of the in-kind match requirement; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement with the Town of Lyons, subject to approval by the County Attorney as to form and content, for demolition of the shipping dock as part of the renovation/restoration of the Hotchkiss Building.

Mr. Spickerman moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, adopted.

RESOLUTION NO. 682-10: SETTING DATE FOR LOCAL HEARING ON DESIGN OF THE HOTCHKISS BUILDING RESTORATION/RENOVATION PROJECT

Mr. Manktelow presented the following:

WHEREAS, the Board of Supervisors seeks public input on the proposed design documents developed by Saratoga Associates for the restoration/renovation of the Hotchkiss Building; now, therefore, be it

RESOLVED, that a public hearing on the proposed design shall be held by the Board of Supervisors on Wednesday, November 3, 2010 at 11:00 a.m. in the Supervisors' Chambers in the County Court House, Lyons, New York; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to give at least five days notice of such hearing by posting such notice upon the bulletin board at the Court House, Lyons, New York, and by publishing such notice at least once in the official newspapers of the County.

Mr. Colacino moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, adopted.

Chairman Hoffman announced that the Board would be taking a five minute recess.

County Administrator Marquette presented a pre-recorded presentation from NYSAC Executive Director Stephen J. Acquario regarding the ongoing concerns of unfunded mandates and property tax increases that the Governor and State Legislature are imposing.

After the NYSAC presentation, Mr. Marquette continued with a power point presentation to highlight items that were not summarized but would directly impact the County tax base, including community college tuitions chargebacks and the 2010 Stimulus Program. He noted that by outlining these items put us in alignment with the NYSAC Presentation.

Josh McCrossen was present to briefly explain the expenses the County is faced with pertaining to Medicaid Fraud.

Chairman Hoffman took this opportunity to acknowledge the retirement of Keith Kubasik, Wayne County Fiscal Manager, for his 10 years of dedicated service to Wayne County.

OTHER BUSINESS

Ms. Park moved, seconded by Mr. Groat that one (1) resolution be allowed on the floor under Other Business. Upon roll call, carried.

RESOLUTION NO. 683-10: URGING NEW YORK STATE TO SIGNIFICANTLY CUT THE UNFUNDED MANDATES THAT CAUSE LOCAL PROPERTY TAX INCREASES BEFORE IMPOSING A CAP ON LOCAL PROPERTY TAXES

Mr. Hammond presented the following:

WHEREAS, New York property taxes are nearly 80% above the national average and New York county leaders have long recognized the need for lower property taxes and have been strong advocates in support of lowering the local tax burden for decades; and

WHEREAS, counties do not have a choice over how to spend most of their locally raised revenues as mandates from Albany and other fixed costs make up as much as 80 percent of a typical county budget and Governor Paterson and many State Legislators support a cap on local property tax levies of 4%, or 120% of inflation, whichever is less, but the current crop of property tax cap proposals do nothing to reduce or eliminate current State mandates on counties or prevent new mandates; and

WHEREAS, arbitrarily capping property taxes without addressing root causes would cripple county governments within a few short years, because all non-mandated spending would have to be eliminated to meet the cap; and

WHEREAS, little action has been taken by New York State to decrease or control the costs of unfunded State mandates, which have been driving up county property tax levels for decades and the major cost drivers for counties are fixed costs and delivering state services locally; and

WHEREAS, counties' fixed costs include pension contributions, which are determined by benefit levels established by the State Legislature and the other major cost drivers are unfunded and under funded state mandates, such as Medicaid, early intervention services, pre-school special education, public assistance, child welfare, youth detention, probation, and indigent defense that will cost county property tax payers and New York City residents over \$10 billion this year alone, along with numerous other programs; and

WHEREAS, these mandated costs grow well in excess of the rate of inflation nearly every year, including:

- County payments to New York State Retirement System that are expected to rise 40% in 2011 and by a similar amount in 2012, and have grown by over 1000 percent since the year 2000 due to generous benefit expansions mandated by the State Legislature and Governor.
- Since 2005, the local share of Medicaid costs has increased at least 3% each year and sometimes by double digit annual increases in the years prior to 2005.
- The State continued to shift its costs to counties in the 2009-10 and 2010-11 State budgets by over \$400 million in human service delivery alone.
- New York State counties are owed hundreds of millions of dollars in state reimbursement at any given moment, without providing any compensation to counties for the cost of "floating" cash to the state, and this amount can easily double when the State Budget is not adopted on time.

WHEREAS, simply capping property taxes does nothing to reduce the costs of these and many other State services that counties must pay for and implement at the local level; in fact it preserves the distinction of having the highest property taxes in the nation and this distinction continues to drive people and businesses out of New York and acts as a deterrent to re-location to our state and the property tax cap proposal allows local boards to override the cap with a two-thirds majority vote, thereby not only shifting costs to local governments, but also unfairly shifting blame to local leaders for tax increases that are actually caused by the State; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors encourages all parties, state and local, to enact legislation so that fiscal responsibility for services resides with the level of government that has the decision-making authority over those services; this will in turn reduce the property tax burden and not preserve the status quo; and be it further

RESOLVED, that the Wayne County Board of Supervisors urges the Governor, and State Legislature not to impose a local property tax cap unless it is coupled with significant cuts in local costs for State mandated programs that cause local property tax increases; and be it further

RESOLVED, that copies of this Resolution be forwarded to Governor Paterson, members of the New York State Legislature, the New York State Association of Counties and all those deemed necessary and proper.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Manktelow.

Mr. Plant made a comment as to how these unfunded mandates will impact the Town of Walworth and possibly raise the tax rate by 4% alone.

Upon roll call, adopted.

Mr. Lauderdale moved, seconded by Mr. Plant, that Resolution No. 684-10 (R4-3) be removed from the Table. Upon roll call, all Supervisors Voted Aye. Motion carried.

RESOLUTION NO. 684-10: RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2010 WAYNE COUNTY BUDGET AND PAYMENT FOR NOTIFICATION LETTERS

REGARDING CHANGES TO THE RECYCLING PROGRAM

Mr. Spickerman presented the following:

WHEREAS, changes have recently been made to the Wayne County Recycling Program effective January 1, 2011 and it is prudent to notify Wayne County Residents of these changes and letters notifying the Public of changes to the recently adopted County's Recycling Program need to be printed and mailed and costs associated with this notification were not included in the 2010 Wayne County Budget; now, therefore, be it

RESOLVED, that the costs associated with printing the letters totaling \$4999.50 and mailing the letters to all county residents totaling \$6469.16 are authorized to be paid; and be it further

RESOLVED, that the County Treasurer is authorized to amend the 2010 Wayne County Budget as follows:

A8020 Planning Board

\$6470 to .54166 Postage

\$5000 to .54456 Printing

A1990 Contingent Fund Gen

\$11,470 from .54000 Contractual Expenses

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Plant.

As requested, a proposed notification letter was distributed to Board Members for their review. This letter will be mailed to Wayne County Residents to address the amendments of the local law recently adopted, that will impact the delivery of curbside recycling collection. Request to make a few minor changes were noted and it was agreed that the letter will be revised.

The Chairman called for a vote for the resolution on the floor. Upon roll call, adopted.

Mr. Plant took this opportunity to thank Chairman Hoffman for his efforts in holding the August Board meeting on opening day at the Wayne County Fair; and he encourages that we make this an annual event.

EXECUTIVE SESSION:

At 11:05 a.m., Mrs. Collier moved, seconded by Mr. Plant, that the Board go into Executive Session to discuss a personnel matter. Upon roll call, carried.

REGULAR SESSION:

At 11:13 a.m., Mr. Lauderdale moved, seconded by Mr. Colacino that the Board resume regular session. Carried.

OTHER BUSINESS

Mr. Kelsch moved, seconded by Mr. Manktelow that one additional resolution be allowed on the floor under Other Business. Upon roll call, carried.

RESOLUTION NO. 685-10: APPOINTMENT OF WAYNE COUNTY PUBLIC DEFENDER

Mrs. Collier presented the following:

WHEREAS, Resolution No. 330-10 created the position of full time Public Defender effective January 1, 2011 and the same resolution authorized the appointment of a Search Committee for the position and the Search Committee was appointed and comprised of ten members representing the Community, the Legal Profession, the Diversity Task Force, the Board of Supervisors, and County Staff; and

WHEREAS, the position description was reviewed and revised, the position was advertised, and candidates were interviewed by the Search Committee and the Search Committee has recommended that Attorney James Kernan be appointed to the position of

Public Defender; now, therefore, be it

RESOLVED, that James Kernan is hereby appointed to the position of Public Defender for a one-year term commencing January 1, 2011 to December 31, 2011 at the annual salary of \$85,000.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, all Supervisors voted Aye, except Mr. Groat who abstained from voting. The Chairman declared the Resolution adopted.

Mr. Lauderdale addressed the Board with his concerns of upcoming vacancy of the County Auditor and processing of the next audit. In lieu of the fact that the County Auditor position would soon be vacant, he commented on the issue and importance of county residency.

ADJOURNMENT:

The next scheduled meeting of the Board is Wednesday, November 3, 2010 at 11:00 a.m.

Ms. Park moved, seconded by Mr. Kelsch, that the board adjourn at 11:15 a.m. Carried.

Sandra J. Sloane, Clerk, Wayne County Board of Supervisors

21st Day
Wednesday, November 3, 2010
11:00 a.m.

The regular meeting of the Board of Supervisors was held in their chambers in the Court House, Chairman Hoffman presiding.

The meeting was opened with the Pledge of Allegiance, led by Supervisor Spickerman.

Upon roll call, all Supervisors were present, including County Administrator James Marquette and Assistant County Attorney Daniel Connors.

APPROVAL OF MINUTES:

Ms. Park moved, seconded by Mr. Colacino, to waive the reading of the minutes of the previous meeting and approve them as distributed. Upon roll call, carried.

PRIVILEGE OF THE FLOOR:

Chairman Hoffman opened the floor at this time for members of the public to address the Board of Supervisors on items listed on the agenda for action. There was no public comment.

PUBLIC HEARING

Prior to the reading of today's public hearing on the topic of the HG Hotchkiss Essential Oil Building Restoration Design Report, Chairman Hoffman informed the attending members of the public of the procedures that are followed for all hearings.

The Clerk read the following notice, as scheduled:

COUNTY OF WAYNE
NOTICE OF PUBLIC HEARING

HG HOTCHKISS ESSENTIAL OIL BUILDING RESTORATION DESIGN REPORT

The County of Wayne, New York will hold a public hearing on Wednesday, November 3, 2010, 11:00 a.m. at the Supervisors' Offices, Wayne County Court House, 26 Church Street, Lyons, NY to discuss the draft design report and to provide residents with information about the HG Hotchkiss Essential Oil Building Restoration Project. Residents are invited to attend the hearing to assist the County in identifying and discussing the needs and priorities for this project. The County will provide information at the hearing to comply with program requirements as defined by the funding sources for the project. The Draft Design Report can be viewed at the Clerk of the Board's Office at 26 Church Street, Lyons, NY. This project is in part funded by a grant from the NYS Office of Parks, Recreation and Historic Preservation through Title 9 of the Environmental Protection Act of 1993. Funding has also been received from: Federal Highway Administration's SAFETEA-LU program; National Park Service's Save America's Treasures program, and NYS Canal Corporation's Erie Canal Greenway Grant program. The County Offices are in compliance with the accessibility standards set forth in the American's with Disabilities Act. Hearing disabled persons, or those with Limited English Proficiency who wish to attend, should call (315) 946-5403 not less than 48 hours before the hearing to make arrangements for an interpreter, if needed. Written public comments will also be accepted and should be submitted to the Clerk of the Board no later than 4:00 p.m. on Friday, November 5, 2010.

Dated: October 20, 2010
Lyons, New York

Sandra J. Sloane, Clerk
Wayne County Board of Supervisors

Prior to opening the floor for public comment, Chairman Hoffman introduced Amy D'Angelo, Wayne County Senior Planner, along with Donald F. Minnery, Senior Principal of Saratoga Associates, to give an overview of the structural integrity of the existing building; and to discuss the proposed work that will be completed for the restoration of the Hotchkiss Building.

Chairman Hoffman opened the floor at 11:20 a.m. for public comment and stated that persons interested in addressing the Board with their comments are welcomed; and to please come forth to the podium.

Questions were addressed regarding insulation, drainage, outside lighting, and the issue of an underground or overhead electrical service for the building from Board Members.

Margaret Churchill, Director of Economic Development, posed her concerns on the drainage situation and noted that the location of this building is near the site of the prism of the earlier Canal. She is requesting that this historic area be recognized and considered, especially as they are looking at the connecting drainage of the properties.

Dave Alena, resident of the Village of Lyons, inquired if there would be a security system put into place.

The Chairman requested for anyone else that wished to voice their comments regarding the proposed design report for the HG Hotchkiss Essential Oil Building to come forth. There being none, the Chairman called for a vote to close the hearing.

Mr. Kelsch moved, seconded by Mrs. Crane, that the public hearing be closed at 11:22 a.m. Upon roll call, carried.

RESOLUTION NO. 686-10: RESOLUTION CREATING INTERNAL AUDIT CLERK POSITION, ABOLISHING ACCOUNT CLERK POSITION IN COUNTY AUDITOR DEPARTMENT, ESTABLISHING HOURLY RATE AND AMENDING BUDGET

Mr. Hammond presented the following:

WHEREAS the County Auditor has indicated that the Account Clerk position in the County Auditor Department performs tasks and functions that warranted review for a possible title change and the position responsibilities have been reviewed with the Human Resources Director and a position description has been developed to reflect those duties and it has been recommended that the position title of Internal Audit Clerk be established with hourly compensation commensurate with the position duties; and

WHEREAS, the Internal Audit Clerk would be a confidential position in the Competitive Civil Service Class; now, therefore, be it

RESOLVED, that effective November 26, 2010, the confidential position of Internal Audit Clerk is established and that the confidential position of Account Clerk in the County Auditor Department is abolished on the same date; and be it further

RESOLVED, that the hourly rate of compensation for the Internal Audit Clerk is established at \$15.25 per hour; and be it further

RESOLVED, that the County Treasurer is hereby authorized to amend the 2010 Wayne County Budget as follows:

Account No. A1320 - County Auditor

\$2,430 from .51122 Account Clerk

\$ 710 from .51071 Manager of Audit

\$3,140 to .51587 Internal Audit Clerk

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Manktelow. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

RESOLUTION NO. 687-10: ESTABLISHING COUNTY AUDIT REVIEW AND APPROVAL PROCEDURES DURING VACANCY OF COUNTY AUDITOR POSITION

Mr. Hammond presented the following:

WHEREAS, the County Auditor position became vacant on October 30, 2010 and it is necessary to establish a procedure to ensure that the County Audit functions continue during temporary absence of the County Auditor or in the event the position is vacant and Wayne County has both a monthly audit process and an interim audit process; now, therefore, be it

RESOLVED, that during the vacancy of the County Auditor position, interim audit payments may be authorized for payment by both the Finance Committee Chairperson and the Chairman of the Board of Supervisors jointly after the claim has been reviewed; and be it further

RESOLVED, that any interim audit payments that are approved under this procedure shall be reported to the Board of Supervisors separately in the ensuing month's audit; and be it further

RESOLVED, that the Wayne County Board of Supervisors shall review and approve the monthly County Audit until such time as the position of County Auditor is filled.

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

AD HOC – Building Relocation Committee

RESOLUTION NO. 688-10: AUTHORIZATION TO AMEND CONTRACT WITH VARGAS ASSOCIATES, INC. FOR RELOCATION CONSULTANT SERVICES

Mr. Spickerman presented the following:

WHEREAS, pursuant to Resolution No. 642-10, the Chairman of the Board of Supervisors was authorized to enter into an agreement with Vargas Associates, Inc. for the purposes of providing Relocation Consultant Services at a cost not to exceed \$50,215.00 and the fee of \$50,215.00 did not include any reimbursable expenses as itemized on their RFP response dated August 24, 2010; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to

enter into an agreement with Vargas Associates, Inc. for the purposes of providing the Relocation Consultant Services for the base fee of \$50,215.00 and reimbursable expenses to cover mileage at a cost not to exceed \$1,180.00 and \$400.00 to cover copies, plots, and finish boards.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Manktelow. Upon roll call, adopted.

OTHER BUSINESS

Mrs. Crane moved, seconded by Mrs. Collier that two (2) resolutions be allowed on the floor under other business. Motion carried.

RESOLUTION NO. 689-10: AUTHORIZE EASEMENT AGREEMENT WITH VILLAGE OF LYONS TO CONSTRUCT ERIE CANAL TRAIL ON COUNTY PROPERTY

Mr. LeRoy presented the following:

WHEREAS, Resolution No. 552-09 provided authorization for the County to provide a right of way to the NYS Canal Corporation to construct the Erie Canal Trail from Newark to Clyde and Resolution No. 553-09 authorized Wayne County to partner with the NYS Canal Corporation, the Village of Lyons and other communities along the route to submit a TIGER grant requesting funds to construct the Erie Canal Trail from Newark to Clyde; and

WHEREAS, the TIGER grant application was not funded, however other funding will result in the Erie Canal Trail construction from Newark to the western boundary of the Village of Lyons and the Village of Lyons is now applying to the NYS Office of Parks, Recreation and Historic Preservation for funding to construct that portion of the Erie Canal Trail beginning at the western boundary of the Village of Lyons and ending on the east side of the Route 14 Bridge; and

WHEREAS, the design for this section of the trail has been substantially completed by the NYS Canal Corporation and portions of the trail will be constructed on County owned land, which will require an easement from the County; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to enter into an easement agreement with the Village of Lyons for construction of the Erie Canal Trail on County owned property, subject to approval as to form and content by the County Attorney; and be it further

RESOLVED, that both the construction and future maintenance of the Erie Canal Trail by the Village of Lyons on County owned property shall be at no cost to the County.

Mr. Manktelow moved the adoption of the resolution. Seconded by Mr. Miller. Upon roll call, adopted.

RESOLUTION NO. 690-10: AUTHORIZATION TO SET A DATE FOR A PUBLIC HEARING TO ADOPT A TECHNICAL AMENDMENT TO LOCAL LAW NO. 2-2010 APPROVING THE ALLOCATION OF ZONE LANDS FOR BERRY PLASTICS CORPORATION

Mr. Spickerman presented the following:

WHEREAS, Local Law No. 2-2010 approved the allocation of zone lands for Berry Plastics Corporation for a regionally significant project as determined by the Zone Administrative Board and the New York State Department of Economic Development Law, was presented to the Board of Supervisors on Tuesday, May 18, 2010; and

WHEREAS, Local law No. 2-2010 was adopted by the Board of Supervisors of the County of Wayne on June 15, 2010, and took effect upon filing with the Office of the Secretary of State and it has become known that Berry Plastics Corporation will be doing business at this location under the name Pliant, LLC; now, therefore, be it

RESOLVED, that a Public Hearing to consider a technical amendment to local law No. 2-2010 is set for Tuesday, November 16th 2010 at 9:15 a.m., to read as follows:

COUNTY OF WAYNE - STATE OF NEW YORK

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, as follows:

A local law to amend local law No. 2-2010 approving the allocation of zone lands for Berry Plastics Corporation for a regionally significant project as determined by the Zone Administrative Board and the New York State Department of Economic Development Law.

WHEREAS, by Local Law No. 2-2010 adopted by The Wayne County Board of Supervisors on June 15, 2010 allocating zone lands for Berry Plastics Corporation for a regionally Significant project; and

WHEREAS, it has become known that Berry Plastics Corporation will be doing business as Pliant, LLC at 112, 150 and 200 East Main Street, Route 31, in the Village and Town of Macedon NY; and

WHEREAS, it is the desire and intent of the Wayne County Board of Supervisors to make certain technical corrections to Local Law No. 2-2010 in order to correct certain inaccuracies therein without materially changing the lands or project; now, therefore, be it

RESOLVED, that the Board of Supervisors of the County of Wayne submits to the state of New York that the name Pliant, LLC shall replace all instances in which the name Berry Plastics Corporation is mentioned within local Law No. 2-2010; and be it further

RESOLVED, that in all other respects, Local Law No. 2-2010 shall remain in full force and effect; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to give at least five days notice of such hearing by posting such notice upon the bulletin board at the County Court House, Lyons, New York, and by publishing such notice at least once (1) in the official newspapers of the County of Wayne

This local law shall take effect immediately upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

Mr. Hammond moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

EXECUTIVE SESSION: Mrs. Crane moved, seconded by Mr. Lauderdale that the Board go into Executive Session at 11:26 a.m. to discuss a personnel matter. Upon roll call, carried.

REGULAR SESSION: Mr. Lauderdale moved, seconded by Ms. Park that the Board resume regular session at 11:32 a.m. Carried.

OTHER BUSINESS

Mr. LeRoy moved, seconded by Mr. Manktelow that one (1) resolution be allowed on the floor under other business. Motion carried.

RESOLUTION NO. 691-10: APPOINTMENT OF INTERIM VETERANS SERVICES DIRECTOR

Mrs. Crane presented the following:

WHEREAS, due to the resignation of the previous director, the Veterans Services Director position is vacant and the Wayne County Board of Supervisors desires to appoint an interim director to serve until such time as a permanent director can be appointed; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby appoints Charles T. Furgeson as interim Veterans Services Director at an hourly rate of \$13.45 per hour, not to exceed 50 hours of service, during a two-week county pay period.

Mr. Hammond moved the adoption of the resolution. Seconded by Mr. LeRoy. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

Public Health Director, Diane Devlin, addressed the Board regarding feedback

received from the State for possible budget amendments that will affect her department.

Supervisor Manktelow, Chairman of the HG Hotchkiss Renovation Committee, requested that they hold a brief meeting to discuss the project in the committee meeting room downstairs, immediately after this meeting.

ADJOURNMENT:

The next scheduled meeting of the Board is Tuesday, November 16, 2010 at 9:00 a.m.

Mr. LeRoy moved, seconded by Ms. Park, that the board adjourn at 11:37 a.m. Carried.

Sandra J. Sloane, Clerk, Wayne County Board of Supervisors

REQUEST TO CALL SPECIAL MEETING

To the Clerk of the Board of Supervisors:

You are hereby directed to call a Special Meeting of the Board of Supervisors of Wayne County, New York, to be held in the Supervisors' Chambers in the Court House in the Village of Lyons, New York, on Tuesday, November 9, 2010 at 10:30 a.m., for the following purposes:

- FIRST: For the purpose of presenting a resolution to approve a proposed Change Order for the renovation of the New Public Safety Building.
- SECOND: To hear, consider and act upon any other matter which may be brought to the Board in the same manner and to the same effect as if the Board were convened in regular session.

Dated at Lyons, New York
November 4, 2010

James D. Hoffman, Chairman
Wayne County Board of Supervisors

NOTICE OF SPECIAL MEETING

State of New York
Wayne County

Office of the Clerk of the Board of Supervisors

Upon direction of the Chairman of the Board of Supervisors of the County of Wayne, I do hereby call a Special Meeting of the Board of Supervisors of Wayne County, New York, to be held in the Supervisors' Chambers in the Court House in the Village of Lyons, New

York, on Tuesday, November 9, 2010 at 10:30 a.m. for the following purposes:

FIRST: For the purpose of presenting a resolution to approve a proposed Change Order for the renovation of the New Public Safety Building.

SECOND: To hear, consider and act upon any other matter which may be brought to the Board in the same manner and to the same effect as if the Board were convened in regular session.

Dated at Lyons, New York
November 4, 2010

Sandra J. Sloane, Clerk
Wayne County Board of Supervisors

22nd Day
Tuesday, November 9, 2010
10:30 a.m.

The Board met pursuant to call, Chairman Hoffman presiding.
The meeting was opened with the Pledge of Allegiance, led by Chairman Hoffman.
Upon roll call, all Supervisors were present, except Supervisors Spickerman and Kelsch, who were absent.
County Administrator James Marquette and County Attorney Daniel Wyner were also in attendance to today's special board session.

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.

AD HOC – Building Relocation Committee

RESOLUTION NO. 692-10: AUTHORIZATION TO APPROVE CHANGE ORDER FOR HOLDSWORTH KLIMOWSKI

Mr. LeRoy presented the following:

WHEREAS, RFP- GC-94 was issued by Holdsworth Klimowski for pricing for all work associated in the removal of door frames, and abatement of structural steel friable fireproofing in the elevator shaft at all three floor elevations; and it was not possible to show all required work at the time of the bid and both SWBR and Watchdog Building Partners have reviewed and determined the pricing to be reasonable for the associated work; now, therefore, be it

RESOLVED, that RFP-GC-94 be approved in the amount of \$ 58,624.20 for the provision of all asbestos abatement work associated with the installation of the three new doors frames for the new elevator in the existing shaft of the Public Safety Building; and be it further

RESOLVED, that the County Treasurer is hereby authorized to amend Account No. H1925 as follows:

H1925-CO BLDG RENOVATION-ONH:

\$ 58,624.20 to .52818 General trades

\$ 58,624.20 from Contingency

Mr. Hammond moved the adoption of the resolution. Seconded by Mr. Lauderdale.
Upon roll call, adopted.

The Chairman announced that following the November 16, 2010 board meeting,

Board Members are invited to attend the annual luncheon, hosted by the Wayne County Historical Society at 12 noon at the Wayne County Museum.

Further, mandated compliance training for Members of the Board will also be held that afternoon at 2:00 p.m. in the Supervisors' Chambers.

ADJOURNMENT:

The next scheduled meeting of the Board is Tuesday, November 16, 2010 at 9:00a.m.

Mr. LeRoy moved, seconded by Mr. Lauderdale, that the board adjourn at 10:33 a.m. Carried.

Sandra J. Sloane, Clerk, Wayne County Board of Supervisors

23rd Day
Tuesday, November 16, 2010
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 Spickerman, 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 for this regular session.

APPROVAL OF MINUTES:

Mr. Miller moved, seconded by Mr. Plant, to waive the reading of the minutes of the previous meeting and approve them as distributed. Upon roll call, carried.

COMMUNICATIONS:

The Clerk read the following:

A copy of the Sheriff's Cash Receipts Report for the month of October 2010 in the amount of 17,751.86.

A letter from the NYS Division of Homeland Security and Emergency Services to announce the grant award of \$320,000 to Wayne County to provide funding to local government partners that coordinate their efforts in terrorism prevention and preparedness with County Government.

A note from Mr. & Mrs. Phillip Juliano, Jr., residents of the Town of Wolcott, with their encouragement to close down the County run Certified Home Health Agency and let it be privatized.

A Fact Sheet for the Brownfield Cleanup Program relating to the Cahoon Parcel site in the Village of Wolcott highlighting the upcoming cleanup activities that are proposed.

A copy of the Professional Advisory Committee Meeting Minutes after being reviewed and accepted by the Wayne County Health and Medical Services Committee Meeting from October 19, 2010, as per state requirement.

A letter from the US Department of Energy acknowledging receipt of Res. No. 615-10 that was adopted by the Wayne County Board, supporting the construction of a new nuclear facility in Wayne County.

A copy of a resolution from Fulton County Board of Supervisors, entitled "Urging NYS Public Service Commission to Reject proposal from National Grid to Increase Residential Natural Gas and Electric Rates"

Mr. Miller moved, seconded by Mr. Plant, that the Communications be received and filed. Upon roll call, carried.

BIDS:

Wayne County Buildings and Grounds -

Janitorial and Custodial Services for the Wayne County Hall of Justice Building

Mr. Plant moved, seconded by Mr. LeRoy, that the bids be referred to the appropriate committees for review. Upon roll call, carried.

PAYMENT OF CLAIMS:

Mr. Kelsch moved, Seconded by Mr. Plant, that the November Audit of Claims be referred to the appropriate committees for review and approval. Upon roll call, carried.

PRIVILEGE OF THE FLOOR:

Chairman Hoffman opened the floor at this time for members of the public to address the Board of Supervisors on items listed on the agenda for action.

Mary Talbo addressed the Board with her concerns of the County possibly not continuing the Wayne County Certified Home Health Agency in 2011.

There were no other matters from members of the public to make comment at this time.

James Marquette, County Administrator/Budget Officer gave a brief presentation of the 2011 Tentative Budget and compared statistics of 2010.

Supervisor Lauderdale requested an electric copy of today's budget presentation to be forwarded to him.

Supervisor LeRoy inquired and requested verification if this were the fifth consecutive year that the Board passed a budget that lowered the County Tax rate.

Mr. Lauderdale requested the Budget officer to update today's presentation to reflect an overview of the appropriate fund balance.

Mr. Marquette took this opportunity to thank everyone for all County Departments and Agencies for their efforts in working together during the budget process.

SCHEDULED BUSINESS

The Clerk read the following Notice of Public Hearing scheduled for 9:15 a.m.

NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAW

PLEASE TAKE NOTICE, that there has been duly introduced before this Board of Supervisors of the County of Wayne on the 3rd day of November 2010, a proposed Local Law of the County; and

NOTICE IS FURTHER GIVEN, that the Wayne County Board of Supervisors will hold a public hearing on Tuesday, November 16, 2010, at 9:15 a.m. in the Supervisors Chambers in the County Court House, 26 Church Street, Lyons, New York, on the following proposed local law:

ADOPTING LOCAL LAW TO APPROVE A TECHNICAL AMENDMENT TO LOCAL LAW NO. 2-2010

WHEREAS, Local Law No. 2-2010 approved the allocation of zone lands for Berry Plastics Corporation for a regionally significant project as determined by the Zone Administrative Board and the New York State Department of Economic Development Law, was presented to the Board of Supervisors on Tuesday, May 18, 2010; and

WHEREAS, Local Law No. 2-2010 was adopted by the Board of Supervisors of the County of Wayne on June 15, 2010, and took effect upon filing with the Office of the Secretary of State; and

WHEREAS, it has been determined that Berry Plastics Corporation will be doing business at this location under the name Pliant, LLC; and New York State has required a technical amendment of the Local Law No. 2-2010; and

WHEREAS, a proposed local law was presented to the Board of Supervisors of the County of Wayne on Wednesday, November 3, 2010 and a public hearing on the proposed local law was held by the Board of Supervisors on Tuesday, November 16, 2010 at 9:15 a.m., in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore, be it

RESOLVED, that said local law is hereby adopted to read as follows:

COUNTY OF WAYNE - STATE OF NEW YORK

A local law to amend Local Law No. 2-2010 approving the allocation of zone lands for Berry Plastics Corporation for a regionally significant project as determined by the Zone Administrative Board and the New York State Department of Economic Development Law. BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, as follows:

WHEREAS, Local Law No. 2-2010 adopted by The Wayne County Board of Supervisors on June 15, 2010 allocated zone lands for Berry Plastics Corporation for a regionally significant project; and

WHEREAS, it has become known that Berry Plastics Corporation will be doing business as Pliant, LLC at 112, 150 and 200 East Main Street, Route 31, in the Village and Town of Macedon NY; and

WHEREAS, it is the desire and intent of the Wayne County Board of Supervisors to make certain technical corrections to Local Law No. 2-2010 in order to correct certain inaccuracies therein without materially changing the lands or project; now, therefore, be it

RESOLVED, that the Board of Supervisors of the County of Wayne submits to the State of New York that the name Pliant, LLC shall replace all instances in which the name Berry Plastics Corporation is mentioned within Local Law No. 2-2010; and be it further

RESOLVED, that in all other respects, Local Law No. 2-2010 shall remain in full force and effect.

This local law shall take effect immediately upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

Dated: November 5, 2010
Lyons, New York

Sandra J. Sloane, Clerk
Wayne County Board of Supervisors

The Chairman opened the floor at 9:27 a.m. for public comment and requested persons interested in addressing the Board with their comments and concerns on the amendment to the Local Law to come forth.

No one requested to come forth to comment at this time. The Chairman called for a motion to close the hearing.

Mr. Plant moved, seconded by Mr. Colacino, that the hearing be closed at 9:28 a.m. Upon roll call, carried.

Chairman Hoffman welcomed Mr. Thomas Crowley and the Newark High School Government Class to today's Board Meeting.

RESOLUTION NO. 693-10: ADOPTING MORTGAGE TAX REPORT AND AUTHORIZING COUNTY TREASURER TO MAKE PAYMENT TO TOWNS AND VILLAGES

Mr. Hammond 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 April 1, 2010 to September 30, 2010, and recommend payment to the Villages and

Towns as apportioned in such report as follows:

TOWN	TOWN	VILLAGE	VILLAGE	TOTAL
	SHARE	VILLAGE	SHARE	
Arcadia	55,464.87	Newark	23,951.84	79,416.71
Butler	6,599.47	Wolcott	424.23	7,023.70
Galen	11,728.10	Clyde	2,705.59	14,433.69
Huron	22,292.93		0.00	22,292.93
Lyons	11,978.15	Lyons	4,926.16	16,904.31
Macedon	78,531.20	Macedon	5,464.79	83,995.99
Marion	32,065.87		0.00	32,065.87
Ontario	125,223.08		0.00	125,223.08
Palmyra	39,644.26	Palmyra	9,255.66	48,899.92
Rose	9,767.12		0.00	9,767.12
Savannah	2,125.39		0.00	2,125.39
Sodus	47,063.76	Sodus	3,385.29	57,911.82
		Sodus Pt.	7,462.77	
Walworth	97,502.92		0.00	97,502.92
Williamson	59,040.37		0.00	59,040.37
Wolcott	9,918.87	Red Creek	508.55	11,663.49
		Wolcott	1,236.07	
TOTAL	608,946.36		59,320.95	668,267.31

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. LeRoy moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 694-10: STATEMENT OF LEVY OF CHARGES FOR TOWN ACCOUNTS

Mr. Hammond presented the following:

WHEREAS, the County Treasurer has submitted a statement of accounts chargeable to the several towns of Wayne County; now, therefore, be it

RESOLVED, that the following accounts as shown on the statement of accounts are hereby levied on the 2011 tax rolls upon the taxable property of the respective towns liable for the payment of such accounts:

STATEMENT OF TOWN ACCOUNTS - NOVEMBER 1, 2009 THROUGH OCTOBER 31, 2010

Town of Arcadia	
Worker's Compensation	36,369.00

Town of Lyons
 Worker's Compensation 24,117.00
 Cablevision Franchise Tax 1,793.38
 2010 Tax Roll Excess and Deficit .08

Erroneous Taxes and Chargebacks

Res #	Name	Year	Amount
482-10	Withdrawn Environ. Prop.	2010	74.57
482-10	Withdrawn Environ. Prop.	2010	3.67
482-10	Withdrawn Environ. Prop.	2010	12,866.94
			<u>12,945.18</u>
			<u>\$ 38,855.64</u>

Town of Macedon
 Worker's Compensation 418,987.00
 Cablevision Franchise Tax 4061.08
 2010 Tax Roll Excess and Deficit -.86

Erroneous Taxes and Chargebacks

Res #	Name	Year	Amount
184-10	Town of Macedon	2010	794.93
234-10	Town of Macedon	2009	2,043.91
Court Order	R & BJ Murphy	2009	256.22
Court Order	BJ Murphy	2009	999.66
482-10	Withdrawn Environ. Prop.	2010	11.70
482-10	Withdrawn Environ. Prop.	2010	511.32
482-10	Withdrawn Environ. Prop.	2010	3388.51
482-10	Withdrawn Environ. Prop.	2010	2036.18
			<u>10,042.43</u>
			<u>\$ 433,089.65</u>

Town of Marion
 Worker's Compensation 18,496.00
 Cablevision Franchise Tax 2,762.32
 2010 Tax Roll Excess and Deficit -1.02

Erroneous Taxes and Chargebacks
0.00
\$ 21,257.30

Town of Ontario
 Worker's Compensation 73,705.00
 Cablevision Franchise Tax 3,280.01
 2010 Tax Roll Excess and Deficit -3.57

Erroneous Taxes and Chargebacks

Name	Year	Amount
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Court Order	RE Ginna Nuclear Power	2010	11,119.88	0.00
Court Order	RE Ginna Nuclear Power	2010	<u>7,174.12</u>	<u>\$18,294.00</u>
				<u>\$ 95,275.44</u>

Town of Palmyra

Worker's Compensation	23,795.00
Cablevision Franchise Tax	3,650.46
2010 Tax Roll Excess and Deficit	- .18
Erroneous Taxes and Chargebacks	.00

Res #	Name	Year	Amount	
Court Order	Marquart Village	2009	2,039.34	
Court Order	Marquart Village	2010	2,348.60	
482-10	Withdrawn Environ. Prop.	2010	397.08	
482-10	Withdrawn Environ. Prop.	2010	501.78	
482-10	Withdrawn Environ. Prop.	2010	1126.68	
482-10	Withdrawn Environ. Prop.	2010	110.26	6,523.74
				<u>\$33,969.02</u>

Town of Rose

Worker's Compensation	9,149.00
Cablevision Franchise Tax	423.37
2010 Tax Roll Excess and Deficit	.25
Erroneous Taxes and Chargebacks	.00

Res #	Name	Year	Amount	
308-10	Town of Rose	2010	647.96	647.96
				<u>\$ 10,220.58</u>

Town of Savannah

Worker's Compensation	20,726.00
Cablevision Franchise Tax	198.78
2010 Tax Roll Excess and Deficit	-.31
Erroneous Taxes and Chargebacks	.00

				<u>\$ 20,924.47</u>
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Town of Sodus

Worker's Compensation	46,757.00
Cablevision Franchise Tax	3,401.78
2010 Tax Roll Excess and Deficit	-.69

Erroneous Taxes and Chargebacks

Res #	Name	Year	Amount
940-09	P Hogan	2007	6.07

940-09	P Hogan	2008	6.36	
940-09	P Hogan	2009	11.87	
940-09	G Reithel	2009	58.64	
21-10	Alton Correction	2010	22,655.88	
21-10	Verizon Correction	2010	221.85	
21-10	RG&E Correction	2010	4,277.05	
21-10	Time Warner Correction	2010	261.28	
481-10	ML Odell	2009	620.66	
482-10	Withdrawn Environ. Prop.	2010	470.06	
592-10	ML Odell	2009	507.24	
730-10	P & MA Riker	2009	14.82	29,111.78
				<u>\$79,269.87</u>

Town of Walworth				
Worker's Compensation				47,434.00
Cablevision Expense				<i>Pd.</i> 0.00
				11/12/20 \$ 2,654.74
2010 Tax Roll Excess and Deficit				.57
Erroneous Taxes and Chargebacks				
Res #	Name	Year	Amount	
482-10	Withdrawn Environ. Prop.	2010	.01	\$.01
				<u>\$ 47,434.58</u>

Town of Williamson				
Worker's Compensation				39,936.00
Cablevision Franchise Tax				3,913.17
2010 Tax Roll Excess and Deficit				4.66
Erroneous Taxes and Chargebacks				
Res #	Name	Year	Amount	
482-10	Withdrawn Environ. Prop.	2010	620.71	
591-10	T & E Johnson	2010	80.18	
				<u>700.89</u>
				<u>\$ 44,554.72</u>

Town of Wolcott				
Worker's Compensation				15,063.00
Cablevision Franchise Tax				1,649.06
2010 Tax Roll Excess and Deficit				.09
Erroneous Taxes and Chargebacks				
Res #	Name	Year	Amount	
164-10	K Kirsch	2010	160.86	

477-10	B & A Biller	2009	168.14	
477-10	B & A Biller	2010	168.82	
591-10	E Miner	2008	65.15	
591-10	E Miner	2009	10.55	
591-10	E Miner	2010	90.56	664.08
				\$ 17,376.23

Grand Total 918,479.90

Mr. Hammond moved, seconded by Mr. Plant, that the resolution be amended to reflect payments respectively received from the Towns of Ontario, Sodus and Williamson; and to be applied against the certain Town Levies, accordingly. Upon roll call, carried.

The amended resolution, in its entirety, was presented as follows:

“RESOLUTION NO. 694-10: STATEMENT OF LEVY OF CHARGES FOR TOWN ACCOUNTS

Mr. Hammond presented the following:

WHEREAS, the County Treasurer has submitted a statement of accounts chargeable to the several towns of Wayne County; now, therefore, be it

RESOLVED, that the following accounts as shown on the statement of accounts are hereby levied on the 2011 tax rolls upon the taxable property of the respective towns liable for the payment of such accounts:

STATEMENT OF TOWN ACCOUNTS - NOVEMBER 1, 2009 THROUGH OCTOBER 31, 2010

Town of Arcadia				
Worker's Compensation				36,369.00
Cablevision Franchise Tax				6,582.29
2010 Tax Roll Excess and Deficit				-0.55
Erroneous Taxes and Chargebacks				
Res #	Name	Year	Amount	
164-10	Dorothy Keesler	2010	32.73	
183-10	Orlando & Beverly Gullo	2010	58.83	
477-10	Erma Mancuso	2010	40.72	
482-10	Withdrawn Environ. Prop.	2010	349.87	
482-10	Withdrawn Environ. Prop.	2010	767.53	
482-10	Withdrawn Environ. Prop.	2010	4,250.13	
482-10	Withdrawn Environ. Prop.	2010	5,586.15	11,085.96
				\$ 54,036.70
Town of Butler				
Worker's Compensation				7,462.00
Cablevision Franchise Tax				14.99

2010 Tax Roll Excess and Deficit	-23
Erroneous Taxes and Chargebacks	<u>.00</u>
	<u>\$ 7,476.76</u>

Town of Galen	
Worker's Compensation	12,135.00
Cablevision Franchise Tax	1,287.30
2010 Tax Roll Excess and Deficit	-20
Erroneous Taxes and Chargebacks	

Res #	Name	Year	Amount	
482-10	Withdrawn Environ. Prop.	2010	75.65	
482-10	Withdrawn Environ. Prop.	2010	908.35	984.00
				<u>\$ 14,406.10</u>

Town of Huron	
Worker's Compensation	19,025.00
Cablevision Franchise Tax	1,525.39
2010 Tax Roll Excess and Deficit	.36
Erroneous Taxes and Chargebacks	

Res #	Name	Year	Amount	
163-10	R Marshall/N Kasper	2010	56.22	
163-10	T Bayer/K VanZiles	2010	418.43	
183-10	R & D Zamanian	2010	256.18	730.83
				<u>\$ 21,281.58</u>

Town of Lyons	
Worker's Compensation	24,117.00
Cablevision Franchise Tax	1,793.38
2010 Tax Roll Excess and Deficit	.08
Erroneous Taxes and Chargebacks	

Res #	Name	Year	Amount	
482-10	Withdrawn Environ. Prop.	2010	74.57	
482-10	Withdrawn Environ. Prop.	2010	3.67	
482-10	Withdrawn Environ. Prop.	2010	12,866.94	12,945.18
				<u>\$ 38,855.64</u>

Town of Macedon	
Worker's Compensation	418,987.00
Cablevision Franchise Tax	4061.08

482-10	Withdrawn Environ. Prop.	2010	1,126.68	
482-10	Withdrawn Environ. Prop.	2010	110.26	6,523.74
				<u>\$33,969.02</u>
Town of Rose				
	Worker's Compensation			9,149.00
	Cablevision Franchise Tax			423.37
	2010 Tax Roll Excess and Deficit			.25
	Erroneous Taxes and Chargebacks			.00
Res #	Name	Year	Amount	
308-10	Town of Rose	2010	647.96	647.96
				<u>\$ 10,220.58</u>
Town of Savannah				
	Worker's Compensation			20,726.00
	Cablevision Franchise Tax			198.78
	2010 Tax Roll Excess and Deficit			-.31
	Erroneous Taxes and Chargebacks			.00
				<u>\$ 20,924.47</u>
Town of Sodus				
	Worker's Compensation			46,757.00
	Cablevision Franchise Tax			3,401.78
	2010 Tax Roll Excess and Deficit			-.69
	Erroneous Taxes and Chargebacks			
Res #	Name	Year	Amount	
940-09	P Hogan	2007	6.07	
940-09	P Hogan	2008	6.36	
940-09	P Hogan	2009	11.87	
940-09	G Reithel	2009	58.64	
21-10	Alton Correction	2010	22,655.88	
21-10	Verizon Correction	2010	221.85	
21-10	RG&E Correction	2010	4,277.05	
21-10	Time Warner Correction	2010	261.28	
481-10	ML Odell	2009	620.66	
482-10	Withdrawn Environ. Prop.	2010	470.06	
592-10	ML Odell	2009	507.24	
730-10	P & MA Riker	2009	14.82	29,111.78
				<u>11/12/10 \$79,269.87</u>
				<u>0.00</u>
Town of Walworth				

Worker's Compensation		47,434.00
Cablevision Expense	<i>Pd.</i> 11/12/10 \$ 2,654.74	0.00
2010 Tax Roll Excess and Deficit		.57

Erroneous Taxes and Chargebacks

Res #	Name	Year	Amount
482-10	Withdrawn Environ. Prop.	2010	<u>.01</u> \$.01
			\$ 47,434.58

Town of Williamson

Worker's Compensation	39,936.00
Cablevision Franchise Tax	3,913.17
2010 Tax Roll Excess and Deficit	4.66

Erroneous Taxes and Chargebacks

Res #	Name	Year	Amount
482-10	Withdrawn Environ. Prop.	2010	620.71
591-10	T & E Johnson	2010	<u>80.18</u>
			700.89
		<i>Pd.</i> 11/12/10 \$ 44,554.72	<u>\$0.00</u>

Town of Wolcott

Worker's Compensation	15,063.00
Cablevision Franchise Tax	1,649.06
2010 Tax Roll Excess and Deficit	.09

Erroneous Taxes and Chargebacks

Res #	Name	Year	Amount
164-10	K Kirsch	2010	160.86
477-10	B & A Biller	2009	168.14
477-10	B & A Biller	2010	168.82
591-10	E Miner	2008	65.15
591-10	E Miner	2009	10.55
591-10	E Miner	2010	<u>90.56</u> 664.08
			\$ 17,376.23

Grand Total	<u>\$797,310.05"</u>
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Mr. Plant moved the adoption of the amended resolution. Seconded by Mr. Kelsch. Upon roll call, all Supervisors voted Aye, except Supervisor Hammond who voted Nay.

The Chairman declared the amended Resolution adopted.

RESOLUTION NO. 695-10: AUTHORIZATION TO ADVERTISE FOR SEALED BIDS FOR COUNTY PROPERTY

Mr. Hammond presented the following:

WHEREAS, a certain property 7025 State Street, Village of Sodus, Tax ID # 69118-00-610029 acquired by the County of Wayne by tax deed was sold at public auction held June 16, 2010 and the first bidder declined to purchase said property and the 2nd bidder declined to purchase the property for the bid amount and his proposal to purchase the property for a lesser amount was rejected by the Finance Committee; now, therefore, be it

RESOLVED, that the Director of Real Property Tax Services is hereby authorized and directed to advertise the following property for sale by sealed bid. The minimum acceptable bid shall be in the amount of \$5,500.

SEQ#	TOWN	VILLAGE	TAX ID#	LOCATION
1354	Sodus	Sodus	69118-00-610029	7025 State Street

and be it further

RESOLVED, that the advertisement shall run two times in the Wayne County Times, Sun and Record and the Wayne County Star and be in the same format, style and format as customarily utilized by Real Property Tax Services in the tax foreclosure auction process. Said advertising charges shall be a charge to Account A1362, "Tax Advertising & Expense", Line 4402; and be it further

RESOLVED, that all bids and deposits must be submitted with Wayne County's bid forms, which are available at the Real Property Tax Services office and all bids, deposits and bid forms must be submitted to the Wayne County Attorney's Office, 26 Church St, Lyons, NY 14489, no later than December 3, 2010 at 3:00 p.m.

Mr. Plant moved the adoption of the resolution. Seconded by Ms. Park. Upon roll call, adopted.

RESOLUTION NO. 696-10: TAX REFUND – ERROR ON TAX ROLL

Mr. Hammond presented the following:

WHEREAS, applications for refund of real property tax claimed to be attributable to an error on the tax roll has duly been filed with the Director of Real Property Tax Services ("Director") for the properties listed below, pursuant to the provisions of Article Five, Title 3 of the Real Property Tax Law and the Director investigated the circumstances of the claimed errors and has submitted a report recommending the applications be approved; now, therefore, be it

RESOLVED, pursuant to Article 5, Title 3 of the Real Property Tax Law that the following applications are hereby approved and the County Treasurer is hereby authorized and directed to pay the refunds:

TOWN OF SODUS

2008 Tax Roll

Account No. 68118-00-381228

Assessed to: Jackie & Isophene Gay

Total Tax Difference: \$112.95 Total County Tax Difference: \$79.30

Refund: \$112.95

TOWN OF SODUS

2009 Tax Roll

Account No. 68118-00-381228

Assessed to: Jackie & Isophene Gay

Total Tax Difference: \$1569.80 Total County Tax Difference: \$349.76

Refund: \$1569.80

TOWN OF WOLCOTT

2008 Tax Roll

Account No.	76118-00-909155	
Assessed to:	Betty Milliman	
Total Tax Difference:	\$70.15	Total County Tax Difference: \$48.26
Refund:	\$70.15	
TOWN OF WOLCOTT		
2009 Tax Roll		
Account No.	76118-00-909155	
Assessed to:	Betty Milliman	
Total Tax Difference:	\$68.97	Total County Tax Difference: \$46.75
Refund:	\$68.97	
TOWN OF WOLCOTT		
2010 Tax Roll		
Account No.	76118-00-909155	
Assessed to:	Betty Milliman	
Total Tax Difference:	\$70.28	Total County Tax Difference: \$47.98
Refund:	\$70.28	

and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to charge back the refunds in the manner prescribed by Section 556 of the Real Property Tax Law.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Miller. Upon roll call, adopted.

RESOLUTION NO. 697-10: APPROVING APPLICATIONS FOR CORRECTED TAX ROLLS

Mr. Hammond presented the following:

WHEREAS, applications for correction of tax rolls in relation to parcels of property identified below have been filed with the Director of Real Property Tax Services and the Director investigated the circumstances of the claimed errors on the tax rolls and recommends that the applications be approved; now, therefore, be it

RESOLVED, pursuant to Article 5, Title 3 of the Real Property Tax Law, the applications are approved and the officers having jurisdiction of the tax rolls are hereby authorized to make the following corrections:

TOWN OF SODUS		
2010 Tax Roll		
Account No.	68118-00-381228	
Assessed to:	Jackie & Isophene Gay	
Total Tax Difference:	\$1629.70	Total County Tax Difference: \$343.65
Corrected Total Tax:	\$503.40	

and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to charge back the pertinent taxing authorities in the manner prescribed by Section 554 of the Real Property Tax Law.

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted.

RESOLUTION NO. 698-10: AUTHORIZATION TO PAY INSURANCE PREMIUM TO HAYLOR, FREYER AND COON, INC.

Mr. Hammond presented the following:

WHEREAS, Wayne County has received a quote from Haylor, Freyer & Coon for the Builder's Risk Insurance for the Hotchkiss Renovation Project as follows:

One Thousand Eight Hundred Forty Nine (\$1,849)

now, therefore, be it

RESOLVED, that the Clerk of the Board is hereby authorized to make payments to Haylor, Freyer & Coon, Inc. in the amount of One Thousand Eight Hundred Forty Nine

(\$1,849) for the Builder's Risk Insurance from Account A19104.54300.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

RESOLUTION NO. 699-10: AMEND 2010 COUNTY BUDGET FOR UNALLOCATED INSURANCE DEPARTMENT

Mr. Hammond presented the following:

WHEREAS, the 2010 County budget requires amendment to line items based upon actual expenditure and revenues and the Unallocated Insurance Department requires line item amendments to eliminate years end deficits; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to amend the 2010 County Budget as follows:

A1910-UNALLOCATED INSURANCE:

\$ 4,566.00 to .41295 Dept. Insurance Reimbursement

\$11,887.00 to .42770 Miscellaneous revenue

\$24,224.00 to .54300 Insurance

\$ 7,771.00 from .54353 Insurance Consultant

Mrs. Collier moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

RESOLUTION NO. 700-10: AUTHORIZATION TO RESCIND RESOLUTION NUMBER 675-10 AND AMEND THE 2010 COUNTY BUDGET FOR DEFENSE OF INDIGENTS

Mr. Hammond presented the following:

WHEREAS, Resolution No.675-10 amended the Legal Defense of Indigents budget but contained errors which require it to be rescinded and revenues and expenditures have or will be exceeding line items for 2010 and will require line item transfers and amending the 2010 County Budget for the Legal Defense of Indigents will allow for continued expenditure of funds; now, therefore, be it

RESOLVED, that Resolution No. 675-10 is hereby rescinded; and be it further

RESOLVED, that the County Treasurer is hereby authorized to amend the 2010 County Budget as follows:

A1172-LEGAL DEFENSE OF INDIGENTS:

\$15,000.00 to .54505 Assigned Counsel-Family

\$11,310.00 to .54507 Assigned Counsel-Felony

\$ 8,000.00 to .54556 Assigned Counsel-Misdemeanor

A1990-CONTINGENT FUND GEN:

\$34,310.00 from .54000 Contractual Expense

Mrs. Crane moved the adoption of the resolution. Seconded by Ms. Park. Upon roll call, adopted.

RESOLUTION NO. 701-10: AUTHORIZATION TO ADVERTISE FOR BIDS FOR WIDE FORMAT PRINTER/COPIER/SCANNER FOR REAL PROPERTY TAX DEPARTMENT

Mr. Hammond presented the following:

WHEREAS, the current printer has failed and is no longer able to be repaired and this printer is used to print annual tax maps for the towns as well as ones requested from the public and a new printer needs to be acquired; now, therefore, be it

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for bids for the replacement of a wide-format printer/copier/scanner, in accordance with the specifications prepared by the Director of Information Technology and the Director of Real Property Tax and approved by the County Attorney as to content and form; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby designated and directed to publicly open the bid(s) at the time and place specified in the bid documents and to present a record of the bid(s) at the next meeting of the Board of Supervisors following

the bid opening.

Ms. Park moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, adopted.

**RESOLUTION NO. 702-10: AMEND PUBLIC SAFETY BUILDING PROJECT (H1925)
PER CHANGE ORDER NUMBERS APPROVED ON NOVEMBER 4, 2010**

Mr. Hammond presented the following:

WHEREAS, the Building Renovation Committee (BRC) has the authority to approve change orders up to \$10,000.00 for the Public Safety Building Renovation Project and the BRC met on November 4, 2010 to review the status of the project and reviewed and approved various change orders with in components of the project; and

WHEREAS, the following change orders were reviewed and approved for the General Contractor component:

GC-58B increase \$8,127 for infill and repair of wall penetrations, GC-58C increase \$3,253 for infill of wall penetrations related to ACM penetrations, GC-63 increase \$2,604 for finding and documenting gas lines surrounding the gas house, GC-77 increase \$893 to place existing site conduit deeper, GC-82 increase \$1,150 to provide PVC sleeve south of gas house, and GC-91 increase \$1,245 for floor patching to level existing concrete floors for a net increase in the General Contractor component of \$17,272; and

WHEREAS, the following change orders were reviewed and approved for the Heating, Ventilation and Air Conditioning component: HVAC-07 increase \$3,287 for rerouting scheduled ductwork to prevent conflict with wall and the following change orders were reviewed and approved for the Plumbing and Fire Protection component: PC-11 increase \$8,369 to install sprinklers in previously added closet rooms, PC-12 increase \$1,231 to clean and repair bottom of existing boiler room sump crock, and PC-13 increase \$2,927 for reworking and connection of a gas line to the Jail for a net increase of \$12,527 in the Plumbing and Fire Protection component; and

WHEREAS, the above approved change orders require amendments to the H1925 CO. BLDG. RENOVATION-ONH budget; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to amend Project H1925 CO. BLDG. RENOVATION-ONH as follows:

H1925-CO. BLDG. RENOVATION-ONH:

\$ 17,272.00 to .52813 General Trades
\$ 3,287.00 to .52814 HVAC
\$ 12,527.00 to .52816 Plumbing & Fire Protection
\$ 33,086.00 from .52818 Contingency

Mr. Spickerman moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

**RESOLUTION NO. 703-10: ADOPTING 2011 SALARY SCHEDULE FOR THE BOARD
OF SUPERVISORS AND THE CHAIRMAN OF THE BOARD**

Mrs. Collier presented the following:

WHEREAS, the County of Wayne needs to establish a salary for the members of the Board and the Chairman of the Board of Supervisors for 2011 and the Budget Officer has appropriated the funds listed below for 2011; now, therefore be it

RESOLVED, that the Board of Supervisors hereby adopts the following salary schedule for the Board of Supervisors for the year 2011:

Supervisors \$15,095
Chairman of the Board \$20,338

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

**RESOLUTION NO. 704-10: AUTHORIZATION TO ACCEPT THE 2011 WAYNE COUNTY
TENTATIVE BUDGET**

Mr. Hammond presented the following:

WHEREAS, the Budget Officer presented the Clerk of the Board with a 2011 Tentative Wayne County Budget on November 15, 2010 and the Budget Officer presented the Tentative Budget for the fiscal year beginning January 1, 2011 to the Board of Supervisors; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby accepts the 2011 Tentative County Budget as presented.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, adopted.

RESOLUTION NO. 705-10: AUTHORIZATION TO ESTABLISH A DATE FOR PUBLIC HEARING ON THE 2011 WAYNE COUNTY TENTATIVE BUDGET

Mr. Hammond presented the following:

WHEREAS, the Tentative Budget for the County of Wayne for the fiscal year beginning January 1, 2011, has been presented to the Board of Supervisors; now, therefore, be it

RESOLVED, pursuant to Section 359 of the County Law of the State of New York as follows:

SECTION 1. A public hearing on the tentative budget shall be held in the Supervisors' Chambers at the County Court House, 26 Church Street, Lyons, New York, on Tuesday, December 7, 2010 at 7:00 p.m. Copies of the tentative budget on which the public hearing will be held are available in the Clerk of the Board of Supervisors' office and may be inspected or procured therein by any interested person during business hours.

SECTION 2. At least five (5) days notice of such hearing shall be given by the Clerk of the Board of Supervisors by posting such notice on the bulletin board in the County Court House and by publication of such notice in the official newspapers of the County.

SECTION 3. The notice of public hearing shall include a statement of maximum salary that may be fixed and payable during said fiscal year to the members of the Board of Supervisors and the Chairman, respectively.

Ms. Park moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 706-10: AUTHORIZATION TO PAY INSURANCE PREMIUM TO HAYLOR, FREYER AND COON, INC.

Mr. Hammond presented the following:

WHEREAS, Wayne County has received a quote from Haylor, Freyer & Coon to extend the Builder's Risk Insurance for the Renovation of the Old Nursing Home Project as follows:

12. Four Thousand Five Hundred Fifty Five (\$4,555)
now, therefore, be it

RESOLVED, that the Clerk of the Board is hereby authorized to make payments to Haylor, Freyer & Coon, Inc. in the amount of Four Thousand Five Hundred Fifty Five (\$4,555) for the Builder's Risk Insurance from Account H1925.52808.

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted.

Supervisor Hammond, Chairman of the Finance Committee, thanked Mr. Marquette and all Wayne County Department Heads for their efforts in working together through the 2011 budget process.

RESOLUTION NO. 707-10: AUTHORIZATION TO EXECUTE AGREEMENT AND APPROPRIATE PROJECT ACCOUNT FUNDING

Mr. Plant presented the following:

WHEREAS, the State of New York, in the current budget year, has allocated funding for the Local Enhanced Wireless 911 Program, which can reimburse costs for certain 911 related expenditures undertaken by eligible counties and through this program, the County of Wayne has been approved to receive \$48,420 in reimbursement funding for eligible expenses incurred through March 31, 2013; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute a Letter of Agreement with the State of New York, relative to the County's intent to participate in the Local Enhanced Wireless 911 Program for the 2010-2013 allocation, and be it further

RESOLVED, that the County Treasurer is directed to amend the 2010 County Budget as follows:

H1935-Enhanced 911 Emergency Telephone

\$48,420.00 to .43395 Wireless 911 Grant Program

\$48,420.00 to .52000 Equipment and Other Capital Outlay

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. LeRoy. Upon roll call, adopted.

RESOLUTION NO. 708-10: AUTHORIZATION TO EXECUTE CONTRACT FOR EMERGENCY NOTIFICATION SYSTEM FOR E911 COMMUNICATIONS

Mr. Plant presented the following:

WHEREAS, for the past three years, the County has contracted with the Sam Asher Computing Services Inc. of Rochester to provide an emergency notification system called Hyper-Reach, sometimes referred to as a "reverse 911" system, which has been used by the County for public notification during emergencies, as well as for routine notification of County personnel as needed on many occasions; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute an agreement with Sam Asher Computing Services, Inc. for the continued provision of, and support for, the Hyper-Reach notification system, for a contract period of one year to terminate on September 30, 2011, at a cost not to exceed \$16,000, with the aforementioned agreement subject to the approval of the County Attorney as to form and content, and be it further

RESOLVED, that payment for the costs associated with the continuation of the Hyper-Reach agreement shall come from the Local Enhanced Wireless 911 Program, which is a New York State reimbursement grant program, providing 100% reimbursement for eligible expenses, such as the Hyper-Reach system.

Mr. LeRoy moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, adopted.

RESOLUTION NO. 709-10: AUTHORIZATION TO EXECUTE AN AGREEMENT WITH PST TECHNOLOGIES, INC. FOR E911 COMMUNICATIONS

Mr. Plant presented the following:

WHEREAS, PST Technologies, Inc., of Herndon, VA, is the vendor used to supply and support the mobile computing message switch server and mobile software used by 911 and all law enforcement agencies in the county and the County has maintained a maintenance contract with PST Technologies on an ongoing basis since the inception of the mobile computing program in 1999; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute an agreement with PST Technologies, Inc. for continuation of maintenance and support services for the period of November 1, 2010 through October 31, 2011, at a cost not to exceed \$12,000, with such agreement subject to the approval of the County Attorney

as to form and content.

Mrs. Crane moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

RESOLUTION NO. 710-10: AUTHORIZATION TO AMEND THE 2010 COUNTY BUDGET FOR E911 COMMUNICATIONS

Mr. Plant presented the following:

WHEREAS, NENA (National Emergency Number Association) is sponsoring its Call Center Manager Program training class in Rochester, to be held November 15-19, 2010 and this is first time that this course has been intensive training course for 911 center managers has been held in this part of the state; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to make the following line item transfer within the 2010 County budget to allow for the 911 Operations Manager to attend the above mentioned training program:

A3642 E911 Communications

\$1000.00 FROM .54230 Telephone

\$1000.00 TO .54483 Training, Seminars and Schools

Mrs. Bender moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

RESOLUTION NO. 711-10: AUTHORIZATION TO SET CONFIDENTIAL/MANAGERIAL SALARY IN PUBLIC DEFENDER'S OFFICE – FIRST ASSISTANT

Mr. Plant presented the following:

WHEREAS, the Wayne County Public Defender's Office will have a vacancy in a budgeted confidential/management position, First Assistant Public Defender, full time, as of January 1, 2011 and the County Administrator anticipates authorizing the refilling of the position of First Assistant Public Defender, full time, effective January 1, 2011; and

WHEREAS, no formal classification or salary schedule exists for management and confidential employees and the County is developing such a schedule for future use and the County Administrator does not have the authority to set salaries and wage rates without a Board of Supervisors approved salary schedule; and

WHEREAS, the County Administrator has recommended starting salaries and wage rates for each position consistent with the current budget and the Public Defender's Office needs to begin to recruit for the position; now, therefore, be it

RESOLVED, that the annual salary for the vacant First Assistant Public Defender, full time, is hereby established at a rate not to exceed \$ 78,000 annually.

Mr. Hammond moved the adoption of the resolution. Seconded by Mr. Manktelow. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

RESOLUTION NO. 712-10: AUTHORIZATION TO SET CONFIDENTIAL/MANAGERIAL SALARY IN PUBLIC DEFENDER'S OFFICE – SECOND ASSISTANT

Mr. Plant presented the following:

WHEREAS, the Wayne County Public Defender's Office will have a vacancy in a budgeted confidential/management position, Second Assistant Public Defender, full time, as of November 29, 2010, due to the resignation of the current employee holding said position effective November 29, 2010; and

WHEREAS, the County Administrator anticipates authorizing the refilling of the vacant position of Second Assistant Public Defender, full time, effective November 29, 2010 and no formal classification or salary schedule exists for management and confidential employees and the County is developing such a schedule for future use and the County Administrator does not have the authority to set salaries and wage rates without a Board of Supervisors approved salary schedule; and

WHEREAS, the County Administrator has recommended starting salaries and wage rates for each position consistent with the current budget and the Public Defender's Office

needs to begin to recruit for the position; now, therefore, be it

RESOLVED, that the annual salary for the vacant Second Assistant Public Defender, full time, is hereby established at a rate not to exceed \$ 55,000 annually.

Mr. Hammond 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. 713-10: AUTHORIZATION TO MODIFY BUDGET AND EXPEND GRANT FUNDS FOR EMERGENCY MANAGEMENT OFFICE

Mr. Plant presented the following:

WHEREAS, the Wayne County Emergency Management Office has received a FY09 State Homeland Security Grant in the amount of \$146,614 with no local grant required and a portion of said grant application included the equipping of a vehicle for the purpose of radiological monitoring and enhanced communications capabilities, therefore be it

RESOLVED, that the County Treasurer amend the 2010 County Budget as follows:

A3640-EMERGENCY MANAGEMENT

\$9,117 to .44306 Homeland Security Grant (2009)

\$9,117 to .52203 Homeland Security Equipment

and be it further

RESOLVED, that the Director of Emergency Management is authorized to purchase the required communication equipment as follows:

Equipment A3640.522203 \$9,117

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. LeRoy. Upon roll call, adopted.

RESOLUTION NO. 714-10: AUTHORIZATION TO SIGN AGREEMENT WITH MONROE COUNTY PUBLIC SAFETY LABORATORY FOR FORENSIC LABORATORY SERVICES

Mr. Plant presented the following:

WHEREAS, The County of Monroe operates a regional crime laboratory (hereinafter referred to as the "Laboratory") that provides forensic laboratory services to the Wayne County Sheriff's Office and the village and town police departments of Wayne County, and

WHEREAS, the "Laboratory" services provided consist of:

- (1) Forensic testing in the areas of Biology, Controlled Substances, Firearms and Trace Analysis.
- (2) All required recording keeping, chain of custody and photographic documentation consistent with current forensic standards.
- (3) Professional courtroom testimony on analyses as needed.
- (4) Driving Under the Influence drug testing of blood samples and alcohol testing (performed at the Office of the Monroe County Medical Examiner), and

WHEREAS, Wayne County has utilized the services of the "Laboratory" under an agreement for many years and continued use of the services of the "laboratory" requires a renewed agreement and the Term of the agreement shall be from January 1, 2011 to December 31, 2011 for the amount of \$75,542.50, now therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to sign an agreement with the County of Monroe for Laboratory services from January 1, 2011 to December 31, 2011 for the amount of \$75,542.50, upon review and approval of the County Attorney, and upon the adoption of the 2011 County Budget.

Mrs. Bender moved the adoption of the resolution. Seconded by Mr. LeRoy. Upon roll call, adopted.

RESOLUTION NO. 715-10: AUTHORIZATION TO EXECUTE THE INDUSTRIAL WASTEWATER DISCHARGE PERMIT

Mr. LeRoy presented the following:

WHEREAS, Wayne County discharges its waste water to the Village of Lyons

Treatment plant and the Village of Lyons requires the County to execute an Industrial Wastewater Discharge Permit on an annual basis; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the permit as prepared by the Village of Lyons, subject to approval by the County Attorney as to form and content; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to pay the \$100.00 permit fee.

Mrs. Bender moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

RESOLUTION NO. 716-10: AUTHORIZATION TO CONTRACT WITH MAS ENGINEERING FOR PREPARATION OF DRAWINGS AND SPECIFICATIONS FOR THE PURPOSE OF BIDDING NEW PARK PAVILIONS

Mr. LeRoy presented the following:

WHEREAS, Wayne County will be seeking proposals for the replacement of numerous pavilions in the County Parks and a building permit will be required for the replacement of these pavilions and the building permit will require drawings and specifications approved by an engineer; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an agreement with MAS Engineering for preparation of drawings and specifications for the purpose of bidding new park pavilions, subject to the review and approval of the County Attorney; and be it further

RESOLVED, that the cost for the provision of the required drawings and specifications to be prepared by MAS Engineering at a cost not to exceed \$1,600.00.

Mr. Miller moved the adoption of the resolution. Seconded by Mr. Manktelow. Upon roll call, adopted.

RESOLUTION NO. 717-10: AUTHORIZATION TO ADVERTISE FOR BIDS FOR CONSTRUCTION OF PAVILIONS IN WAYNE COUNTY PARKS

Mr. LeRoy presented the following:

WHEREAS, a number of Wayne County Parks pavilions have been declared unsafe and Wayne County needs to replace these pavilions in its County Parks and Wayne County wishes to accomplish these replacements in time for the 2011 Parks season; now, therefore, be it

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for bids for the construction of several pavilions in accordance with specifications prepared by the Superintendent of Buildings and Grounds and approved by the County Attorney as to content and form; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby designated and directed to publicly open the bid(s) at the time and place specified in the bid documents and to present a record of the bid(s) at the next meeting of the Board of Supervisors following the bid opening.

Mr. Colacino moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

RESOLUTION NO. 718-10: AUTHORIZATION TO AWARD BID FOR JANITORIAL AND CUSTODIAL SERVICES FOR THE WAYNE COUNTY HALL OF JUSTICE BUILDING

Mr. LeRoy presented the following:

WHEREAS, the Clerk of the Board of Supervisors duly advertised for bids for Janitorial and Custodial Services for the Wayne County Health Services Building for the contract period of December 1, 2010 thru November 30, 2011 and the following bids were received by the deadline and opened on Friday, October 29th, 2010, at 10:00 A.M.; and

WHEREAS, the bid were received as follows below:

Bidders	Monthly Bid	Annual Bid	2 nd Annual Increase %	Yr 3 rd Annual Increase %	Yr 4 th Annual Increase %
ABM Janitorial Services 6171 Malloy Road Syracuse, NY 13057	\$ 2,900	\$34,800	3%	2%	2%
TEMCO Services 7374 Pittsford-Palmyra Rd Fairport, NY 14450	\$3,225	\$38,700	0%	2%	2%
Quality Janitorial Services 136 Bryant Avenue Newark, NY 14513	\$3,414.20	\$40,970	1%	2%	2%

now, therefore, be it

RESOLVED, that the annual bid submitted by ABM Janitorial Services for \$34,800 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 ABM Janitorial Services at a cost not to exceed the annual amount of \$ 34,800; for the contract period of December 1, 2010 thru November 30, 2011.

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted.

RESOLUTION NO. 719-10: AUTHORIZATION TO ADVERTISE FOR BID(S) FOR TREE REMOVAL FOR THE HIGHWAY DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, the Wayne County Highway Department has the ability to perform tree removals throughout the county except where there are high risk circumstances such as utility lines or a potential for property damage and in the event a tree is considered high risk, a tree removal specialist is contracted to fall the tree and cleanup is performed the Wayne County Highway Department; now, therefore, be it

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to advertise for bid(s) for tree removal, in accordance with specifications prepared by the Highway Superintendent and subject to the County Attorney's approval as to form and content; and be it further

RESOLVED, that the 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. Groat moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

RESOLUTION NO. 720-10: AUTHORIZATION TO ADVERTISE FOR BID(S) FOR STUMP GRINDING FOR THE HIGHWAY DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, the County Highway Department does not own specialized equipment to grind stumps of trees that have been removed within the County Highway right-of-way; now, therefore, be it

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to advertise for bid(s) for stump grinding, in accordance with specifications prepared by the Highway Superintendent and subject to the County Attorney's approval as to form and content; and be it further

RESOLVED, that the 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. Plant moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, adopted.

RESOLUTION NO. 721-10: AUTHORIZATION TO ADVERTISE FOR BIDS FOR HIGHWAY MATERIALS FOR THE COUNTY OF WAYNE AND MUNICIPAL HIGHWAY DEPARTMENTS

Mr. LeRoy presented the following:

WHEREAS, the Wayne County Highway Department has a need to purchase highway materials for various projects throughout the year and by receiving annual bids by supplier for these materials, the Highway Department can purchase materials when necessary; now, therefore, be it

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for bids for construction and maintenance material for the County of Wayne and municipal highway departments in the fiscal year 2011. Material will include, but not be limited to: bituminous materials (liquid), bituminous pre-mixed stockpile patching, bituminous slurry seal, fiber reinforced bituminous membrane surface treat, paver chip seal, hot in place asphalt recycling, in place recycling types I, II, III, bituminous concrete plant mix, cold mix bituminous pavement (open & dense grade), miscellaneous cold milling, calcium chloride, steel sign post, aluminum sign blanks, guide rail, guide rail posts and accessories, snow and ice control sand, timber materials, crushed stone, road striping paint, equipment rental/services and asphalt paving with operators in accordance with specifications prepared by the Wayne County Highway Superintendent and approved by the County Attorney as to content and form; and be it further

RESOLVED, that the County Highway Superintendent is hereby designated and directed to publicly open the bid(s) at the time and place specified in the bid documents and to present a record of the bids(s) at the next meeting of the Board of Supervisors following the bid opening; and be it further

RESOLVED, that the bid specifications shall provide that any municipal highway department purchasing materials pursuant to the bid shall be solely responsible for the audit and inspection of such materials and for any payments due the vendor.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 722-10: AUTHORIZATION TO PURCHASE TRUCK WITH ROLLOVER CHIPS FUNDS

Mr. LeRoy presented the following:

WHEREAS, The Wayne County Highway department receives an annual appropriation of Consolidated Local Street and Highway Improvement Projects (CHIPS) funds for use on highway related projects or improvements and any unused CHIPS funds can be carried over to the next fiscal year and the Wayne County Highway department will have approximately \$900,000 in rollover funds for 2011 due to a late start with CHIPS projects and due to cost savings realized on several projects, and

WHEREAS, the 2011-2015 Wayne County Capital Plan identifies many future equipment purchases in a range of 300,000 to 400,000 each year and equipment purchases are an eligible expense as long as the item has a 10 year service life and there is a new 2009 International tri-axle truck available locally through the OGS state bid for \$119,000, now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized and directed to create a line item and transfer funds as listed below:

\$119,000 from Account No. D51122.52644 (Road Construction – Salter Road project)

\$119,000 to D51122.52638 – CHIPS equipment
and be it further

RESOLVED, that the that the County Highway Superintendent is hereby authorized to purchase one (1) 2009 International Truck from the New York State OGS State Bid Contract # PC62176 at the bid price of \$119,000; and be it further

RESOLVED, that the existing fleet truck being replaced will be sent to auction.

Mrs. Bender moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, adopted.

RESOLUTION NO. 723-10: AUTHORIZATION TO TRANSFER FUNDS FOR NETWORK CONFIGURATION AND DESIGN

Mr. LeRoy presented the following:

WHEREAS, pursuant to Resolution No. 439-10, the Board of Supervisors funded a phone system upgrade project and Account No. A16152.52201 was funded with \$10,000.00 for use by the IT Department for computer equipment related to the interface of the new phone system and the Director of IT has requested \$6,000.00 of this be transferred into contractual expense for the purpose of design and configuration services for the integration of the new phone system into the County Network system; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to transfer funds as follows:

A1615-BUILDINGS AND GROUNDS:

\$6,000.00 from .52201 ITEQP Computer Equipment

\$6,000.00 into .54000FRLAB Contractual Expense

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 724-10: AUTHORIZATION TO PURCHASE STORAGE CONTAINER AND TRANSFER FUNDS FOR BUILDINGS AND GROUNDS

Mr. LeRoy presented the following:

WHEREAS, the Public Works Committee had agreed the purchase of a storage container would be the best solution for the Fire Coordinator to store all the training materials that have been accumulating at the Burn Building location and the Superintendent of Buildings and Grounds received a quote from Verdi Storage Containers in the amount of \$3,165.00 for a 40yd. container delivered to the site; now, therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to purchase the storage container from Verdi; and be it further

RESOLVED, that the County Treasurer is hereby directed to transfer funds as follows:

A1615-BUILDINGS AND GROUNDS

\$3,165.00 from .54407 Building Maintenance

\$3,165.00 into .52500 Other Equipment

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, adopted.

RESOLUTION NO. 725-10: AUTHORIZE AGREEMENT WITH STUART BROWN AND ASSOCIATES FOR CANDY APPLE DAY CARE GRANT ADMINISTRATION

Mr. Spickerman presented the following:

WHEREAS, Resolution 280-10 authorized the Chairman of the Board to submit a CDBG Small Cities Application requesting funding in the amount of \$750,000 for the construction of the Candy Apple Day Care Center in the Newark Industrial Park and Wayne County was awarded \$750,000 in CDBG Small Cities funding; and

WHEREAS, Wayne County requires assistance for the administration of this grant and Stuart Brown and Associates has the experience and qualifications to successfully administer this grant on behalf of Wayne County; now, therefore, be it

RESOLVED, that the Chairman of the Board is authorized to enter into an agreement with Stuart Brown and Associates for the administration of the CDBG Small Cities Grant awarded to Wayne County for Candy Apple Day Care, at a cost not to exceed \$12,000, subject to approval as to form and content by the County Attorney.

Mr. LeRoy moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 726-10: AMEND 2010 TOURISM FOR ELIMINATION IN STATE AID

Mr. Spickerman presented the following:

WHEREAS, the 2010 New York State Tourism Matching grant was eliminated in 2010 and the 2010 Tourism Matching Funds Budget was adopted with the grant estimated at \$63,164.00 and drastic reductions to the 2010 County Budget are in order to eliminate the State Aid; now, therefore, be it

RESOLVED, that the County Treasurer amend the 2010 County Budget as follows:

A6410-TOURISM MATCHING FUNDS PROGRAM:

\$ 665.00 from .54120 Info Packet
\$ 200.00 from .55140 Office Supplies
\$ 10,495.00 from .54402 Advertising
\$ 370.00 from .54410 Conference
\$ 360.00 from .54424 Equipment Maintenance
\$ 4,245.00 from .54457 Printing
\$ 7,500.00 from .54460 Promotion
\$ 1,600.00 from .54539 Brochure/AD Development
\$ 565.00 from .54603 Derby

A6411-TOURISM MATCHING FUNDS PROGRAM:

\$63,164.00 from .43716 State Aid
\$ 100.00 from .54166 Postage
\$ 200.00 from .54230 Telephone
\$ 23,264.00 from .54402 Advertising
\$ 3,000.00 from .54434 Information Centers
\$ 5,388.00 from .54457 Printing Literature & Brochure
\$ 712.00 from .54460 Promotion
\$ 3,800.00 from .54539 Brochure/AD Development
\$ 700.00 from .54600 Misc (ups)

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 727-10: ADOPTING LOCAL LAW TO APPROVE A TECHNICAL AMENDMENT TO LOCAL LAW NO. 2-2010

Mr. Spickerman presented the following:

WHEREAS, Local Law No. 2-2010 approved the allocation of zone lands for Berry Plastics Corporation for a regionally significant project as determined by the Zone Administrative Board and the New York State Department of Economic Development Law, was presented to the Board of Supervisors on Tuesday, May 18, 2010 and Local Law No. 2-2010 was adopted by the Board of Supervisors of the County of Wayne on June 15, 2010, and took effect upon filing with the Office of the Secretary of State; and

WHEREAS, it has been determined that Berry Plastics Corporation will be doing business at this location under the name Pliant, LLC; and New York State has required a technical amendment of the Local Law No. 2-2010 and a proposed local law was presented to the Board of Supervisors of the County of Wayne on Wednesday, November 3, 2010 and a public hearing on the proposed local law was held by the Board of Supervisors on Tuesday, November 16, 2010 at 9:15 a.m., in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore, be it

RESOLVED, that said local law is hereby adopted to read as follows:

COUNTY OF WAYNE - STATE OF NEW YORK

A local law to amend Local Law No. 2-2010 approving the allocation of zone lands for Berry Plastics Corporation for a regionally significant project as determined by the Zone Administrative Board and the New York State Department of Economic Development Law. BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, as follows:

WHEREAS, Local Law No. 2-2010 adopted by The Wayne County Board of Supervisors on June 15, 2010 allocated zone lands for Berry Plastics Corporation for a regionally significant project; and

WHEREAS, it has become known that Berry Plastics Corporation will be doing business as Pliant, LLC at 112, 150 and 200 East Main Street, Route 31, in the Village and Town of Macedon NY; and

WHEREAS, it is the desire and intent of the Wayne County Board of Supervisors to make certain technical corrections to Local Law No. 2-2010 in order to correct certain inaccuracies therein without materially changing the lands or project; now, therefore, be it

RESOLVED, that the Board of Supervisors of the County of Wayne submits to the State of New York that the name Pliant, LLC shall replace all instances in which the name Berry Plastics Corporation is mentioned within Local Law No. 2-2010; and be it further

RESOLVED, that in all other respects, Local Law No. 2-2010 shall remain in full force and effect.

This local law shall take effect immediately upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

Mrs. Bender moved the adoption of the resolution. Seconded by Mr. Miller. Upon roll call, adopted.

RESOLUTION NO. 728-10: AUTHORIZE TRANSFER OF FUNDS FROM CONTINGENCY ACCOUNT TO BOARD OF ELECTION FOR HELP AMERICA VOTE ALLOCATION

Mrs. Collier presented the following:

WHEREAS, the County has the responsibility for paying five percent (5%) of the cost of goods purchased with Help America Vote Act (HAVA) funds and the New York Office of Government Services (OGS) has recently billed the county for the balance of the 5% on the original total of HAVA funds allocated to the county and the Board of Elections budget line for this expense does not contain sufficient funds to pay the amount due to the OGS; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to make the following adjustment to the 2010 Wayne County Budget:

A1990 CONTINGENT FUND GENERAL

\$2,359 from .54000 Contractual Services

A1450 BOARD OF ELECTIONS

\$2,359 to .52500 Other Equipment

Mrs. Collier moved the adoption of the resolution. Seconded by Mr. Manktelow.

Mrs. Crane inquired as to what the HAVA represented and if this were matched with County Funds.

Mr. Plant added that this resolution is a result of a partially unfunded mandate.

Upon roll call, adopted.

RESOLUTION NO. 729-10: AUTHORIZATION TO REVISE THE WAYNE COUNTY TRAVEL POLICY

Mrs. Collier presented the following:

WHEREAS, the Wayne County Board of Supervisors revised the County travel policy

on April 15, 2008 by adopting Resolution No. 272-08 and Wayne County was audited by the Internal Revenue Service for the year 2007 and learned through the results of that audit that its meal reimbursement policy was not in line with IRS regulations; and

WHEREAS, the IRS audit report stated "The reimbursement of meals expense is a taxable fringe benefit to the employee receiving it, as the employee is not away from home overnight." and the County desires to bring its policy into correspond with the IRS regulations in the simplest manner; now, therefore, be it

RESOLVED, that effective January 1, 2011, the County Travel Policy is revised to read as follows (new language in *italics*):

"All actual and necessary expenses incurred for registration fees, travel, meals, and lodging in connection with such attendance shall be a County charge, provided, however, that said charges are supported by original receipts (except mileage) and do not exceed the approved amounts. *However, the County will not reimburse any meals taken by any employee when the employee is not away from home overnight, unless such meal is part of a client's defined care or therapy plan. This rule applies whether the employee is within or outside of Wayne County. This policy shall supersede any contrary departmental policies.*"

and be it further
RESOLVED that a copy of this policy is hereby on file with the Clerk of the Board, and this policy will be distributed to all County Departments for implementation.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Hammond.

Mrs. Crane inquired as to why the County pays for treatment related meal reimbursements.

Mr. Marquette responded by stating that these were authorized and acceptable under the IRS guidelines that we have researched and are now implementing.

Upon roll call, adopted.

RESOLUTION NO. 730-10: AUTHORIZATION TO EXTEND CONTRACT WITH USA TPA TO ADMINISTER WAYNE COUNTY'S SELF-INSURED WORKERS' COMPENSATION PLAN AND DISABILITY CLAIM ADMINISTRATION

Mrs. Collier presented the following:

WHEREAS, the Wayne County Board of Supervisors authorized a contract with USA TPA (resolution 689-07) for a three-year period beginning January 1, 2008 through December 31, 2010 and Wayne County desires to extend this contract for an additional year (January 1 through December 31, 2011); and

WHEREAS, USA TPA has proposed to extend this contract for an additional year at the same fee schedule that is in place for 2010:

Workers' Compensation \$92,444.00

NYS Disability \$17,150.00

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 USA TPA Inc, P. O. Box 3309, Syracuse, New York 13220 to administer the Wayne County Workers' Compensation Plan and Disability Plan for a one (1) year period commencing January 1, 2011 through December 31, 2011 for the contract amounts specified above.

Mr. Kelsch moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

RESOLUTION NO. 731-10: AUTHORIZATION TO RENEW ANNUAL CONTRACT WITH ASSOCIATION FOR THE BLIND AND VISUALLY IMPAIRED

Ms. Park presented the following:

WHEREAS, the Mental Health Department wishes to renew its annual contract for the

2011 budget year with the following organization for the purposes of the continued provision of mental hygiene related services and for disbursement of New York State and/or Wayne County funding in the following amount:

Association for the Blind and Visually Impaired (ABVI-Lifeline-211) \$24,927

now, therefore, be it

RESOLVED, that the Mental Health Department and the Chairman of the Board are authorized to contract with the above noted provider for the provision of mental hygiene services, not to exceed the listed funding amount in accordance with the 2011 State funding award amount including any county funding as noted, and also any plus/minus adjusted amount based on prior year state funding closeout reconciliations, and the contract being subject to the County Attorneys review as to form and content, and the passage of the 2011 County Budget.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 732-10: AUTHORIZATION TO RENEW ANNUAL CONTRACT WITH COUNCIL ON ALCOHOLISM OF THE FINGER LAKES

Ms. Park presented the following:

WHEREAS, the Mental Health Department wishes to renew its annual contract for the 2011 budget year with the following organization for the purposes of the continued provision of mental hygiene related services and for disbursement of New York State and/or Wayne County funding in the following amount:

Council on Alcoholism of the Finger Lakes \$185,960

now, therefore, be it

RESOLVED, that the Mental Health Department and the Chairman of the Board are authorized to contract with the above noted provider for the provision of mental hygiene services, not to exceed the listed funding amount in accordance with the 2011 State funding award amount including any county funding as noted, and also any plus/minus adjusted amount based on prior year state funding closeout reconciliations, and the contract being subject to the County Attorneys review as to form and content, and the passage of the 2011 County Budget.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 733-10: AUTHORIZATION TO RENEW ANNUAL CONTRACT WITH DELPHI DRUG & ALCOHOL COUNCIL

Ms. Park presented the following:

WHEREAS, the Mental Health Department wishes to renew its annual contract for the 2011 budget year with the following organization for the purposes of the continued provision of mental hygiene related services and for disbursement of New York State and/or Wayne County funding in the following amount:

Delphi Drug & Alcohol Council \$395,725 (State)
\$7,750 (County) TOTAL: \$403,475

now, therefore, be it

RESOLVED, that the Mental Health Department and the Chairman of the Board are authorized to contract with the above noted provider for the provision of mental hygiene services, not to exceed the listed funding amount in accordance with the 2011 State funding award amount including any county funding as noted, and also any plus/minus adjusted amount based on prior year state funding closeout reconciliations, and the contract being subject to the County Attorneys review as to form and content, and the passage of the 2011 County Budget.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 734-10: AUTHORIZATION TO RENEW ANNUAL CONTRACT WITH FINGER LAKES ADDICTIONS AND REFERRAL AGENCY

Ms. Park presented the following:

WHEREAS, the Mental Health Department wishes to renew its annual contract for the 2011 budget year with the following organization for the purposes of the continued provision of mental hygiene related services and for disbursement of New York State and/or Wayne County funding in the following amount:

FLACRA \$1,107,288 (State)
\$69,602 (County)
TOTAL: \$1,176,890

now, therefore, be it

RESOLVED, that the Mental Health Department and the Chairman of the Board are authorized to contract with the above noted provider for the provision of mental hygiene services, not to exceed the listed funding amount in accordance with the 2011 State funding award amount including any county funding as noted, and also any plus/minus adjusted amount based on prior year state funding closeout reconciliations, and the contract being subject to the County Attorneys review as to form and content, and the passage of the 2011 County Budget.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 735-10: AUTHORIZATION TO RENEW ANNUAL CONTRACT WITH ACM MEDICAL LABORATORY

Ms. Park presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) wishes to renew its annual contract with this provider for laboratory testing and analysis as the need for these ongoing services is necessary to operation of the agency and there is no cost to WBHN for this service; now, therefore, be it

RESOLVED, that Wayne Behavioral Health Network and the Chairman of the Board are authorized to renew said contract with the above provider for the period of January 1, 2011 to December 31, 2011, subject to the County Attorney's review & approval of the contract as to form and content.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 736-10: AUTHORIZATION TO RENEW ANNUAL SOFTWARE MAINTENANCE CONTRACT WITH ANASAZI SOFTWARE, INC.

Ms. Park presented the following:

WHEREAS, Wayne Behavioral Health Network wishes to renew its annual contract with the following service provider for the year January 1, 2011 to December 31, 2011 - Anasazi, Inc. and the contract shall include the corresponding services provided and shall not exceed the following amounts:

- Electronic Medical Records Support, Maintenance & licensing not to exceed \$30,000

now, therefore, be it

RESOLVED, that the WBHN and the Chairman of the Board is hereby authorized to contract with the above provider for the above noted services, subject to the County Attorney's review as to form and content and adoption of the 2011 County Budget.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 737-10: AUTHORIZATION TO RENEW ANNUAL CONTRACT WITH COORDINATED CARE SERVICES, INC.

Ms. Park presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) wishes to renew its annual contract with the following service provider for the year January 1, 2011 to December 31, 2011 with Coordinated Care Services, Inc. for State Aid Auditing and Fiscal Reporting; and the corresponding services provided shall not exceed the following amounts:

\$25,000 as per 2011 budget; now, therefore, be it

RESOLVED, that the WBHN and the Chairman of the Board is authorized to renew said contract with the above provider, subject to the County Attorney's review as to form and content and adoption of the 2011 County Budget.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 738-10: AUTHORIZATION TO RENEW ANNUAL CONTRACT WITH BARBARA HART, RN FOR PROFESSIONAL CLINICAL SERVICES

Ms. Park presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) wishes to renew its annual contract with Barbara Hart, RN to provide Professional Clinical Services for Utilization Review and for Medical Record Auditing Services and WBHN remains in need of these services in order to comply with regulatory requirements and as they are essential to agency operations; now, therefore, be it

RESOLVED, that the WBHN and the Chairman of the Board are authorized to renew a contract with Barbara Hart, RN, for the period of January 1, 2011 to December 31, 2011, to provide Psychological Services to WBHN for the rate of \$5.75 per medical record reviewed, and said contract will be subject to the County Attorney's review as to form and content and passage of the 2011 County Budget.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 739-10: AUTHORIZATION TO WAYNE BEHAVIORAL HEALTH NETWORK TO RENEW ANNUAL CONTRACT WITH MICHAEL SCHANK

Ms. Park presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) wishes to renew its annual contract with Michael Shank for the year January 1, 2011 through December 31, 2011 to provide Polygraph services for the sexual offender treatment program and said professional will be reimbursed at the following rate:

Michael Shank \$250.00 per polygraph

and WBHN remains in need of the identified professional services and seeks to renew said Contract; now, therefore, be it

RESOLVED, that the WBHN and the Chairman of the Board are authorized to renew this contract with the above individual, subject to the County Attorney's review as to form and content and passage of the 2011 County Budget.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 740-10: AUTHORIZATION TO RENEW ANNUAL CONTRACT WITH UNITY HOUSE FOR RENTAL AGREEMENT

Ms. Park presented the following:

WHEREAS, Unity House of Cayuga County and WBHN continue to collaborate in the provision of services to mutually shared clients and Unity House and WBHN each find it mutually beneficial to work in close proximity to one another to enhance coordination of such services and this arrangement is desired to be continued by both agencies; now, therefore, be it

RESOLVED that the WBHN and the Chairman of the Wayne County Board of Supervisors is authorized to renew a lease agreement for the period of January 1, 2011 to December 31, 2011 subject to County Attorney's approval as to form and content, by and

between Wayne Behavioral Health Network and Unity House of Cayuga County for 233.625 sq. ft. of space (1 designated office) at WBHN Offices on 1519 Nye Road for a monthly charge of \$400.00 due on the 1st of each month; and be it further

RESOLVED, that the following charges will be in addition to the monthly lease fee: Unity House will be charged and billed for fees for telephone services and tolls to their exclusive extension in the office space that they occupy, at the actual monthly cost charged to WBHN by the Building & Grounds Dept; and be it further

RESOLVED, that faxing services will be charged and billed at a rate of \$.20-cents per page and copying usage be charged and billed at a rate of \$.03-cents per page.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 741-10: AUTHORIZATION TO RENEW ANNUAL CONTRACT WITH STAFF CARE, INC.

Ms. Park presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) wishes to renew its annual contract with Staff Care, Inc. for the period January 1, 2011 to December 31, 2011 and Locum Tenens services are essential for the provision of and the continuity of care, for psychiatric services in times when essential staffing professionals are not readily available and WBHN is at times in need of Locum Tenens psychiatric services and wishes to continue to have the ability to expeditiously access these services when needed; now, therefore, be it

RESOLVED, that the WBHN and the Chairman of the Board are authorized to renew said contract with the above provider, subject to the County Attorney's review as to form and content and adoption of the 2011 County Budget.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 742-10: AUTHORIZATION TO RENEW ITS ANNUAL CONTRACT WITH FINGER LAKES PARENT NETWORK

Ms. Park presented the following:

WHEREAS, the Mental Health Department wishes to renew its annual contract for the 2011 budget year with the following organization for the purposes of the continued provision of mental hygiene related services and for disbursement of New York State and/or Wayne County funding in the following amount:

Finger Lakes Parent Network State: \$24,269
County: \$4,000
Total: \$28,269

now, therefore, be it

RESOLVED, that the Mental Health Department and the Chairman of the Board are authorized to contract with the above noted provider for the provision of mental hygiene services, not to exceed the listed funding amount in accordance with the 2011 State funding award amount including any county funding as noted, and also any plus/minus adjusted amount based on prior year state funding closeout reconciliations, and the contract being subject to the County Attorneys review as to form and content, and the passage of the 2011 County Budget.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 743-10: AUTHORIZATION TO RENEW CONTRACT OF AFFILIATION BETWEEN WAYNE BEHAVIORAL HEALTH NETWORK AND KEUKA COLLEGE FOR STUDENT FIELD INTERNSHIP EDUCATION

Ms. Park presented the following:

WHEREAS, Keuka College has established educational programs in various health

related programs, and as such Keuka College desires to have certain students receive fieldwork educational experiences at Wayne Behavioral Health Network and Wayne Behavioral Health Network (WBHN) is willing to accept said students for such purposes from the Keuka College as WBHN is a teaching facility; and

WHEREAS, this arrangement is mutually beneficial to all parties, however more particular to WBHN as providing this fieldwork program experience to students assists WBHN in meeting and addressing the increasing community needs for mental health treatment, it also contributes to the agency financially, it enriches the agency's staffing, enhances the educational environment of our agency, and contributes to the development and growth of the Human Service & Mental Health Professions; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors, subject to County Attorney approval as to form and content, is authorized to execute a contract between Keuka College and Wayne Behavioral Health Network to establish and provide students with fieldwork educational internships at WBHN from January 1, 2011 to December 31, 2011.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 744-10: AUTHORIZATION FOR MENTAL HEALTH DEPARTMENT TO RENEW CONTRACT WITH WORLD WIDE DICTATION

Ms. Park presented the following:

WHEREAS, the Mental Health Department in the course of its regular daily business produces a variety of confidential medical records, which in some cases include reports that are dictated by professional staff and then transcribed and our dictation volume related to this process has dramatically grown in recent months and has exceeded our current resource capacity to produce the transcribed reports in a satisfactorily timely manner and contracting with this service will be the most cost effective strategy to address the increase in work volume along with a 24 hour turn-a-round time; now, therefore, be it

RESOLVED, that the Mental Health Department and Chairman of the Board is authorized to renew a contract with World Wide Dictation from January 1, 2011 to December 31, 2011, at a rate of .07 cents per line.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 745-10: AUTHORIZATION TO RENEW ITS ANNUAL CONTRACT WITH LAKEVIEW MENTAL HEALTH SERVICES

Ms. Park presented the following:

WHEREAS, the Mental Health Department wishes to renew its annual contract for the 2011 budget year with the following organization for the purposes of the continued provision of mental hygiene related services and for disbursement of New York State and/or Wayne County funding in the following amount:

Lakeview Mental Health Services	\$93,354
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now, therefore, be it

RESOLVED, that the Mental Health Department and the Chairman of the Board are authorized to contract with the above noted provider for the provision of mental hygiene services, not to exceed the listed funding amount in accordance with the 2011 State funding award amount including any county funding as noted, and also any plus/minus adjusted amount based on prior year state funding closeout reconciliations, and the contract being subject to the County Attorneys review as to form and content, and the passage of the 2011 County Budget.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 746-10: AUTHORIZATION TO RENEW ANNUAL CONTRACT WITH

UNITY HOUSE OF CAYUGA

Ms. Park presented the following:

WHEREAS, the Mental Health Department wishes to renew its annual contract for the 2011 budget year with the following organization for the purposes of the continued provision of mental hygiene related services and for disbursement of New York State and/or Wayne County funding in the following amount:

Unity House of Cayuga \$114,655

now, therefore, be it

RESOLVED, that the Mental Health Department and the Chairman of the Board are authorized to contract with the above noted provider for the provision of mental hygiene services, not to exceed the listed funding amount in accordance with the 2011 State funding award amount including any county funding as noted, and also any plus/minus adjusted amount based on prior year state funding closeout reconciliations, and the contract being subject to the County Attorneys review as to form and content, and the passage of the 2011 County Budget.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 747-10: AUTHORIZATION TO RENEW ANNUAL CONTRACT WITH WAYNE ASSOCIATION FOR RETARDED CITIZENS – WAYNE ARC

Ms. Park presented the following:

WHEREAS, the Mental Health Department wishes to renew its annual contract for the 2011 budget year with the following organization for the purposes of the continued provision of mental hygiene related services and for disbursement of New York State and/or Wayne County funding in the following amount:

Wayne Association for Retarded Citizens – Wayne ARC

\$488,349 (State) \$14,768 (County)

TOTAL: \$503,117

now, therefore, be it

RESOLVED, that the Mental Health Department and the Chairman of the Board are authorized to contract with the above noted provider for the provision of mental hygiene services, not to exceed the listed funding amount in accordance with the 2011 State funding award amount including any county funding as noted, and also any plus/minus adjusted amount based on prior year state funding closeout reconciliations, and the contract being subject to the County Attorneys review as to form and content, and the passage of the 2011 County Budget.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 748-10: AUTHORIZATION TO RENEW ITS ANNUAL CONTRACT WITH WAYNE COUNTY DEPARTMENT OF AGING & YOUTH

Ms. Park presented the following:

WHEREAS, the Mental Health Department wishes to renew its annual contract for the 2011 budget year with the following organization for the purposes of the continued provision of mental hygiene related services and for disbursement of New York State and/or Wayne County funding in the following amount:

Wayne County Department of Aging & Youth \$38,436

now, therefore, be it

RESOLVED, that the Mental Health Department and the Chairman of the Board are authorized to contract with the above noted provider for the provision of mental hygiene services, not to exceed the listed funding amount in accordance with the 2011 State funding award amount including any county funding as noted, and also any plus/minus adjusted amount based on prior year state funding closeout reconciliations, and the contract being subject to the County Attorneys review as to form and content, and the

passage of the 2011 County Budget.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 749-10: AUTHORIZATION TO RENEW ITS ANNUAL CONTRACT WITH WAYNE COUNTY ACTION PROGRAM

Ms. Park presented the following:

WHEREAS, the Mental Health Department wishes to renew its annual contract for the 2011 budget year with the following organization for the purposes of the continued provision of mental hygiene related services and for disbursement of New York State and/or Wayne County funding in the following amount:

Wayne County Action Program \$53,476
now, therefore, be it

RESOLVED, that the Mental Health Department and the Chairman of the Board are authorized to contract with the above noted provider for the provision of mental hygiene services, not to exceed the listed funding amount in accordance with the 2011 State funding award amount including any county funding as noted, and also any plus/minus adjusted amount based on prior year state funding closeout reconciliations, and the contract being subject to the County Attorneys review as to form and content, and the passage of the 2011 County Budget.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 750-10: AUTHORIZATION TO THE MENTAL HEALTH DEPARTMENT TO RENEW ITS ANNUAL CONTRACT WITH EPILEPSY ASSOCIATION

Ms. Park presented the following:

WHEREAS, the Mental Health Department wishes to renew its annual contract for the 2011 budget year with the following organization for the purposes of the continued provision of mental hygiene related services and for disbursement of New York State and/or Wayne County funding in the following amount:

Epilepsy Association \$3,069
now, therefore, be it

RESOLVED, that the Mental Health Department and the Chairman of the Board are authorized to contract with the above noted provider for the provision of mental hygiene services, not to exceed the listed funding amount in accordance with the 2011 State funding award amount including any county funding as noted, and also any plus/minus adjusted amount based on prior year state funding closeout reconciliations, and the contract being subject to the County Attorneys review as to form and content, and the passage of the 2011 County Budget.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 751-10: AUTHORIZATION TO RENEW ITS ANNUAL CONTRACT WITH CATHOLIC FAMILY CENTER – HANNICK HALL

Ms. Park presented the following:

WHEREAS, the Mental Health Department wishes to renew its annual contract for the 2011 budget year with the following organization for the purposes of the continued provision of mental hygiene related services and for disbursement of New York State and/or Wayne County funding in the following amount:

Catholic Family Center – Hannick Hall \$619,071
now, therefore, be it

RESOLVED, that the Mental Health Department and the Chairman of the Board are authorized to contract with the above noted provider for the provision of mental hygiene services, not to exceed the listed funding amount in accordance with the 2011 State

funding award amount including any county funding as noted, and also any plus/minus adjusted amount based on prior year state funding closeout reconciliations, and the contract being subject to the County Attorneys review as to form and content, and the passage of the 2011 County Budget.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 752-10: AUTHORIZING THE CREATION OF AN ADDITIONAL SUPERVISING NURSE POSITION AT THE WAYNE COUNTY NURSING HOME.

Ms. Park presented the following:

WHEREAS, effective October 1, 2010 CMS (Centers for Medicare & Medicaid) instituted the MDS 3.0 process for reimbursement, quality measures and care planning in nursing homes and MDS 3.0 accuracy affects reimbursement therefore requiring an individual to monitor the timely clinical completion and review and to take action on the validation reports; and

WHEREAS, the individual must understand the Medicare utilization process, manage the scheduling of the MDS's, and ensure that the MDS and the medical record are synced and that they coordinate with billing and these are duties that fall within the job description of the Supervising Nurse position description and title at the Wayne County Nursing Home and due to vacancies at the Nursing Home sufficient funds are available for this position for the balance of 2010 and it is recommended that an additional Supervising Nurse position be created at the Wayne County Nursing Home to meet the needs of the new regulation at the wage in accordance with the CSEA Supervisory Unit; now, therefore, be it

RESOLVED, that an additional Supervising Nurse position is added to the Nursing Home budget effective November 16, 2010.

Mrs. Crane moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

RESOLUTION NO. 753-10: ACCEPTING QUOTE AND AUTHORIZE PURCHASE OF EQUIPMENT FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the commercial washer and dryer were budgeted for 2010 and the Wayne County Nursing Home received a quote for commercial washer and dryer for the Wayne County Nursing Home in accordance with the provisions of Section 103 of the General Municipal Law and the only quote received was submitted by Statewide Machinery, Inc.; now, therefore, be it

RESOLVED, that the quote be accepted; and be it further

RESOLVED, that the Administrator at the Wayne County Nursing Home is hereby authorized to purchase the commercial washer and dryer from Statewide Machinery, Inc.:

Company	Price for washer	Price for dryer	Total Cost
Statewide Machinery, Inc.	\$5,028.00	\$4,609.00	\$9,637.00

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 754-10: AUTHORIZING TO PURCHASE EQUIPMENT FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the Business Office utilizes a small copier to facilitate resident billing process and the copier is not functioning and not able to be repaired and the copier is not a budgeted item for 2010 and it is determined that a copier is needed in the Business Office to better serve the residents and family members; and

WHEREAS, the cost of the small copier is \$237.67; now, therefore, be it

RESOLVED, that the Wayne County Nursing Home is authorized to purchase one (1) copier from the state bid contract (STAPLES) at a cost not to exceed \$237.67.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, adopted.

RESOLUTION NO. 755-10: AUTHORIZING CONTRACT FOR DIAGNOSTIC IMAGING SERVICES FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the contract between the County of Wayne and HealthTrac for the provision of Diagnostic Imaging services expires on December 31, 2010; and the Wayne County Nursing Home is desirous of renewing said contract for the period of January 1, 2011 – December 31, 2013 and the Nursing Home shall pay Contractor for services performed on Nursing Home residents in accordance to the same terms and conditions as set forth in the 2010 contract pursuant to the Medicare published fee schedule; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute the agreement with HealthTrac effective January 1, 2011 to December 31, 2013 at a fee in accordance with the Medicare published fee schedule, subject to the County Attorney's approval as to form and content.

Mr. Kelsch moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 756-10: AUTHORIZE THE CONTRACT FOR PHYSICIAN SERVICES FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, Eugene Tolomeo, M.D. has been providing physician services to the residents of Wayne County Nursing Home at no cost to the nursing home and the current agreement expires on December 31, 2010 and the Wayne County Nursing Home desires to renew the agreement for the provision of physician services with Eugene Tolomeo, M.D. effective January 1, 2011 – December 31, 2011; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute the agreement with Eugene Tolomeo effective January 1, 2011 – December 31, 2011 at no cost to the nursing home; subject to the County Attorney's approval as to form and content.

Mr. Kelsch moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 757-10: AUTHORIZATION TO CONTRACT WITH REIMBURSEMENT CONSULTANT FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, Terry Cotton, 1235 Hunters Run, Victor, NY 14564 has provided technical advice regarding nursing home reimbursement and services will be needed through the end of the contract to analyze reimbursement methodology changes implemented by State and Federal agencies and these services include assistance in preparations of rate appeals; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisor's be authorized and directed to execute an agreement to the contract on behalf of the Wayne County Nursing Home, subject to the County Attorney's approval as to form and content for the period January 1, 2011 – December 31, 2011 at a cost not to exceed \$17,500 calculated at \$110.00 per hour plus out of pocket expenses.

Mr. Kelsch moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 758-10: AUTHORIZING THE WAYNE COUNTY NURSING HOME TO CONTRACT WITH SIBLEY NURSING PERSONNEL SERVICES, INC.

Ms. Park presented the following:

WHEREAS, the current contract with Sibley Nursing Personnel Service, Inc., Geneva, New York for Registered Nurse and/or Licensed Practical Nurse services expires December 31, 2010; and the nursing home would like to renew contract from January 1, 2011 to December 31, 2011; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute an agreement with Sibley Nursing Personnel Service, Inc., Geneva, New York on behalf of the Wayne County Nursing Home for Registered Nurse and Licensed Practical Nurse services effective January 1, 2011 to December 31, 2011 according to the rate schedule of

	<u>Weekday Rate</u>	<u>Weekend Rate</u>
RN	\$46.25 per hour	\$46.25 per hour
LPN	\$34.00 per hour	\$34.00 per hour

Overtime for hours worked in excess of 40 hours in one week and work on holidays are paid at the rate of one-and one half times (1-1/2) the bill rate and subject to the County Attorney's approval as to form and content.

Mr. Kelsch moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 759-10: AUTHORIZING CONTRACT FOR DENTAL SERVICES FOR WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the contract between the County of Wayne and the McClure Dental Service for providing dental services expires on December 31, 2010 and the Wayne County Nursing Home wishes to renew said contract for the period of January 1, 2011 – December 31, 2011

WHEREAS, McClure's annual service fee will be \$32,040; now, therefore, be it

RESOLVED, the Chairman of the Wayne County Board of Supervisors is authorized to execute an agreement effective January 1, 2011 with McClure Dental Services for a annual fee of \$32,040. Subject to the County Attorney's approval as to form and content.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 760-10: AUTHORIZING CONTRACT FOR PHARMACY SERVICES WITH HEALTH DIRECT AT THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the Wayne County Nursing Home contracts pharmacy services for its residents and the contract for pharmacy services with Health Direct expires on December 31, 2010; and

WHEREAS, the Board of Supervisors have duly advertised for bids for pharmacy services for the Wayne County Nursing Home in accordance with the provisions of Section 103 of the General Municipal Law and two bids were received as follows:

Health Direct - Discount on AWP of 41% discount on Generic and 36% Discount on Brand
Omnicare - Discount on AWP of 40% discount on Generic and 25% Discount on Brand
and

WHEREAS, upon review of bids by the County Attorney and Nursing Home and County Administration, it is recommended that the bid for the pharmacy services be awarded to Health Direct and that the Consulting Pharmacist Services portion be rejected and be re-bid due to an error; now, therefore, be it

RESOLVED, that the contract for pharmacy services be awarded to Health Direct pursuant to the bid submission; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract on behalf of the Wayne County Nursing Home with Health Direct for the provision of pharmacy services for the period beginning January 1, 2011 through December 31, 2015, subject to the County Attorney's approval as to form and content; and

be it further

RESOLVED, that the Consulting Pharmacist Services portion of the bid is rejected and is to be re-advertised for submission of bids for the period January 1, 2011 – December 31, 2015.

Mr. Kelsch moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 761-10: RESOLUTION SETTING ANNUAL SALARY FOR DIRECTOR OF NURSING POSITION AT NURSING HOME

Ms. Park presented the following:

WHEREAS, a confidential/management position, Director of Nursing, vacancy will exist at the Wayne County Nursing Home and the County Administrator anticipates authorizing the advertising and refilling of the position effective November 29, 2010 and no formal classification or salary schedule exists for management and confidential employees and the County Administrator does not have the authority to set salaries without a Board of Supervisors approved salary schedule; and

WHEREAS, the Department needs to begin to recruit for the position; now, therefore, be it

RESOLVED, that the salary for the Director of Nursing position at the Wayne County Nursing Home is hereby established at up to \$73,100 per year depending on qualifications.

Mrs. Crane moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

RESOLUTION NO. 762-10: AUTHORIZATION TO AMEND RESOLUTION NO. 368-10 TO CONTRACT WITH WAYNE FINGER LAKES BOCES FOR TRANSPORTATION

Ms. Park presented the following:

WHEREAS, the County is required to provide transportation for children in the Pre-K program and currently has a contract with Wayne Finger Lakes BOCES to provide transportation and the Gananda Central School District has, as of September 24, 2010, a student who already receives transportation but now requires a one-on-one aide for the bus ride and the daily increase of the modification is \$33.79; now, therefore, be it

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 \$5,642.93 for the period of September 24, 2010 till June 30, 2011, subject to the approval of the County Attorney as to content and form.

Mr. Hammond moved the adoption of the resolution. Seconded by Mr. LeRoy. Upon roll call, adopted.

RESOLUTION NO. 763-10: AUTHORIZATION TO RENEW CONTRACT WITH UNIVERSITY OF ROCHESTER PULMONARY AND CRITICAL CARE UNIT

Ms. Park presented the following:

WHEREAS, the County currently contracts with the University of Rochester Pulmonary and Critical Care Unit with Dr. Mark Frampton providing services to Wayne County Public Health Services as the Tuberculosis (TB) Program physician/consultant; and

WHEREAS, on behalf of the University of Rochester, Dr. Frampton holds an on-site TB clinic every month to Wayne County residents and the University of Rochester has agreed to renew the contract and receive a minimum of \$896.41 per clinic for a total not to exceed \$10,760 per year; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an agreement with the University of Rochester Pulmonary and Critical Care Unit on behalf of the County of Wayne, at a rate of \$896.41 per clinic for a total not to exceed \$10,760 per year, for the period of January 1, 2011 to December 31, 2011, subject to the approval of the County Attorney as to form and content, pending the approval of the 2011 County Budget.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 764-10: AUTHORIZATION TO RENEW CONTRACTS FOR SERVICES FOR THE CERTIFIED HOME HEALTH AGENCY

Ms. Park presented the following:

WHEREAS, the County Health Department needs to contract for therapy services for the patients in the Certified Home Health Agency (CHHA) and the following providers are licensed professionals who are and have been able to provide such services; now, therefore, be it

RESOLVED; that the Chairman of the Board of Supervisors is hereby authorized and directed to execute renewed contracts on behalf of the Certified Home Health Agency, subject to providers being in compliance with the county's insurance requirements and the County's Attorney's approval as to form and content, pending approval of the 2011 county budget for the following period of January 1, 2011 to December 31, 2011:

1. Herold, Deborah, Physical Therapist at a cost of \$77 per weekday visit, \$82 per weekend visit, \$20 per in-service, consultation and Professional Advisory Committee meeting attended.
2. Battle, Patricia, Occupational Therapist at a cost of \$77 per weekday visit, \$82 per weekend visit, \$20 per in-service, consultation, and Professional Advisory Committee meeting attended.
3. Chapin, Patricia, Physical Therapist at a cost of \$77 per weekday visit, \$82 per weekend visit, \$20 per in-service, consultation and Professional Advisory Committee meeting attended.
4. Beagley, Cynthia, Speech Therapist at a cost of \$77 per weekday visit, \$82 per weekend visit, \$20 per in-service, consultation and Professional Advisory Committee meeting attended.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 765-10: AUTHORIZATION TO SIGN CONTRACT WITH LIFETIME CARE FOR MEDICAL SOCIAL WORKER FOR WAYNE COUNTY PUBLIC HEALTH

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) is required to provide Medical Social Worker (MSW) services per our Operating Certificate for the Certified Home Health Agency (CHHA) and Lifetime Care is able to provide a licensed professional to provide such services at a rate of \$90.00 per home care visit; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract with Lifetime Care, 3111 Winton Road South, Rochester, NY 14623, to provide Medical Social Work services for Wayne County Public Health at a rate not to exceed \$6,000 for the period of January 1, 2011 till December 31, 2011 with the approval of the County Attorney as to form and content.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 766-10: AUTHORIZATION TO RENEW CONTRACT WITH NURSE PRACTITIONER FOR WAYNE COUNTY PUBLIC HEALTH

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) wishes to renew its contract with Janine Quinlan, Nurse Practitioner; to continue providing part-time services to the STD/HIV Clinic, to attend pertinent trainings, and to provide in-service education and consultation to the clinic staff upon request and service will be provided on an hourly basis, including travel to and from the clinic, not to exceed six hours per week, at a rate of \$53.00/hour, not to exceed \$13,256 per year, for the period starting January 1, 2011 to December 31, 2011;

now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to renew the contract with Janine Quinlan, Nurse Practitioner, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, for the period of January 1, 2011 to December 31, 2011, for services to be provided on an hourly basis, including travel, at a rate of \$53.00 per hour, services will be provided for not more than six hours per week, for an amount not to exceed \$13,256.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 767-10: AUTHORIZATION TO RENEW CONTRACT WITH REGISTERED DIETICIAN FOR WAYNE COUNTY PUBLIC HEALTH

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH), per Section 85.40 of 10 NYCRR, in order to operate a Medicaid Obstetrical and Maternal Services (MOMS) Health Supportive Services, we must contract with a Registered Dietician and WCPH also has need of a Registered Dietician for the Certified Home Health Agency (CHHA); and

WHEREAS, the Registered Dietician will provide professional nutritional counseling, monitoring/follow up of at-risk women and documentation of nutritional assessment, risk status and nutrition care plan to the MOMS provider, perform in-services and consultations, and make home visits to MOMS and CHHA clients and Geraldine Morse, at 3260 Sand Hill Rd., Marion, NY 14505, has agreed to provide such service for a fee of not more than \$40 per hour, including travel time; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a renewed contract, subject to the County Attorney's approval as to form and content, with Geraldine Morse, Registered Dietician, for the period of January 1, 2011 till December 31, 2011 at a rate of \$40 per hour, not to exceed \$2,000 per year, pending approval of the 2011 County Budget.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

Mr. Marquette addressed the Board for a brief presentation regarding the Certified Home Health Agency. The 21st Century and Health and Medical Services Committees have extensively discussed the issue to initiate steps to possibly sell the Certified Home Health Agency, and further, for the Public Health Department to become a Licensed Home Case Agency.

RESOLUTION NO. 768-10: AUTHORIZATION TO INITIATE PROCEDURE TO SELL WAYNE COUNTY CERTIFIED HOME HEALTH AGENCY AND ESTABLISH A LICENSED HOME CARE AGENCY

Ms. Park presented the following:

WHEREAS, the 21st Century Committee has reviewed the Wayne County Certified Home Health Care Agency (CHHA) extensively over the past year and one half for possible sale and this review included discussions with the Public Health Director, certain county staff members, the county's outside financial consultant for the CHHA, representatives of the New York State Department of Health, and representatives of outside agency service providers; and

WHEREAS, the 21st Century Committee has completed its review of the Certified Home Health Agency (CHHA) and a majority of the Supervisors attending the 21st Century Committee on August 31, 2010 indicated that the county should initiate steps to sell the Certified Home Health Agency and for the Public Health Department to become a Licensed Home Case Agency; and

WHEREAS, the Wayne County Board of Supervisors conducted a non-mandatory public hearing on the subject of the potential sale of the CHHA on September 23, 2010 and

prior to completing a sale of the CHHA, the Public Health Department will need to become a Licensed Home Care Agency; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors has determined that it is in the best interests of the county to initiate the process for the Public Health Department to become a Licensed Home Care Agency; and be it further

RESOLVED, that the Board of Supervisors has also determined that it is in the best interests of the county to initiate the development of a Request for Proposals (RFP) for the sale of the Wayne County Certified Home Health Care Agency; and be it further

RESOLVED, that the Board of Supervisors hereby directs the County Administrator, the County Attorney, the Public Health Director and any related staff to commence the processes necessary in order for the County to implement this resolution; and be it further

RESOLVED, the Board of Supervisors hereby authorizes the County Administrator, the County Attorney, the Human Resources Director and any related management staff to commence discussions with the Civil Service Employees Association units relative to an employee retention program for CHHA professional staff during the transition period.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

RESOLUTION NO. 769-10: AUTHORIZING A CONSULTING AGREEMENT WITH JACK VENESKY, CPA, TO ASSIST WITH PREPARATION OF BACKGROUND AND SUPPORT INFORMATION RELATED TO THE SALE OF CERTIFIED HOME HEALTH AGENCY

Ms. Park presented the following:

WHEREAS, after considerable study, Wayne County government has determined that it wishes to pursue the sale of its Certified Home Health Agency and Jack Venesky, CPA has submitted a proposal for the provision of professional services to assist with the preparation of a Request for Proposals (RFP) and identifying financial and statistical data related to that proposal; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors authorizes an agreement with Jack Venesky, CPA for the preparation of a Request for Proposals and related financial and statistical data related to the RFP, subject to the approval of the County Attorney as to form and to content, not to exceed \$9,500.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

RESOLUTION NO. 770-10: AUTHORIZATION FOR THE CHAIRMAN OF THE BOARD TO SIGN WORKFORCE INVESTMENT ACT (WIA) AMENDED WIA YOUTH PROGRAM CONTRACT FOR THE PERIOD JULY 1, 2010 – JUNE 30, 2011

Mrs. Crane presented the following:

WHEREAS, New Contract was signed for the WIA Youth Program in the amount of \$80,006 for the calendar year July 1, 2010 to June 30, 2011 and \$6,000 additional funds were secured to utilize for participant costs to require an amendment to the current contract; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized, upon review and approval of the County Attorney, to allow the amendment to the current contract to include the additional participant funds of \$6,000 to bring the total contract to \$86,006.

Mrs. Collier moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, adopted.

RESOLUTION NO. 771-10: AUTHORIZATION TO EXECUTE CONTRACT FOR THE AREA AGENCY ON AGING 2011 ANNUAL IMPLEMENTATION PLAN

Mrs. Crane presented the following:

WHEREAS, the Chairman of the Board is required to sign the Annual Implementation Plan (budgets) for the year 2011 in order to receive the following funding. The funding

components that must be submitted include the following:

Federal-Older Americans Act for the period January 1, 2011 through December 31, 2011-

- Titles III-B, III-C-1, III-C-2, III-D, III-E, Title VII
- Federal-Older Americans Act for the period July 1, 2011 through June 30, 2012
- Title V
- Federal-Older Americans Act for the period April 1, 2011 through March 31, 2012
- WRAP (Weatherization)
- Federal-Older Americans Act for the period June 1, 2011 through May 31, 2012
- MIPPA
- State Grants for the period April 1, 2011 through March 31, 2012
- SNAP (Supplemental Nutrition Assistance Program),
- CSI (Community Services Initiative)
- EISEP (Expanded In-Home Services for the Elderly,
- CSE (Community Service for the Elderly)
- LTCOP (Long Term Care Ombudsman Program),
- HIICAP (Health Insurance Information Counseling and Assistance Program)
- Transportation

These 16 funding streams make up the bulk of the Aging Departments budget, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the Annual Implementation Plan for the Area Aging and Youth for the year 2011.

Mr. Miller moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, adopted.

RESOLUTION NO. 772-10: AUTHORIZATION TO EXECUTE CONGREGATE MEAL NUTRITION SITE CONTRACTS FOR 2011

Mrs. Crane presented the following:

WHEREAS, the Department of Aging and Youth provides congregate meals in several Senior Centers in Wayne County and is requesting renewal of the congregate meal contracts/rental agreements for 2011, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors to 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, the following Congregate meal site contracts for the period of January 1, 2011 through December 31, 2011. The funding is contingent on NYSOFA 2011 final funding allocations and the approval of the 2011 County Budget.

- Town of Ontario \$6,200 annually
- Village of Newark \$3,975 annually
- St. John's Catholic Church, Clyde, NY \$285 per month
- Faith United Methodist Church, Wolcott \$325 per month
- Village of Palmyra \$100 per month

Mr. Miller moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, adopted.

RESOLUTION NO. 773-10: AUTHORIZATION FOR 2011 CONTRACT RENEWAL FOR DIETITIAN SERVICES FOR THE DEPARTMENT OF AGING AND YOUTH

Mrs. Crane presented the following:

WHEREAS, NY State Office for the Aging requires all congregate and home delivered meals meet 1/3 of the RDA compliance standards and the Department of Aging and Youth contracts with Geraldine Morse, RD to provide 10 hours of dietitian services per week to meet those compliance standards and to provide nutrition counseling to the elderly that have been assessed nutritionally at risk; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors to 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 Geraldine Morse, RD., for the period of January 1, 2011 through December 31, 2011, to provide the required dietary services; and be it further

RESOLVED, that the terms and conditions of this contract remain the same as 2010. The hourly rate will be \$38.00 per hour. The total of all payments will not exceed \$18,240, plus mileage at a current rate. The funding is contingent on NYSOFA 2011 final funding allocations and the approval of the 2011 County Budget.

Mr. Miller moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, adopted.

RESOLUTION NO. 774-10: AUTHORIZATION FOR 2011 CONTRACT RENEWAL WITH WAYNE COUNTY CHAPTER, NYS ASSOCIATION FOR RETARDED CHILDREN

Mrs. Crane presented the following:

WHEREAS, The Department of Aging and Youth contracts with NYS Association for Retarded Children (Key Industries) to provide bulk meal preparation for our six congregate Senior Centers; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors to 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 ARC (Key Industries), for the period of January 1, 2011 through December 31, 2011 for bulk meal catering; and be it further

RESOLVED, that the terms and conditions of this contract remain the same as 2010. The meal rate will be \$3.50 and the maximum contract amount will not exceed \$85,000 (including USDA funds). The funding is contingent on NYSOFA 2011 final funding allocations and the approval of the 2011 County Budget.

Mr. Miller moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, adopted.

RESOLUTION NO. 775-10: AUTHORIZATION TO RENEW 2011 CONTRACT WITH LIFETIME CARE, INC.

Mrs. Crane presented the following:

WHEREAS, the Department of Aging and Youth contracts with Lifetime Care, Inc. to provide non-medical, in-home services and non-institutional respite services to elderly clients assessed eligible by our department; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors to 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 Lifetime Care, Inc., for the period of January 1, 2011 through December 31, 2011, for non-medical, in-home Services and non-institutional respite services; and be it further

RESOLVED, that the terms and conditions of this contract remain the same with Appendix A modified to reflect the new rates for services; and be it further

RESOLVED, that the PCA I and PCA II rates are not to exceed the approved Medicaid rate. The funding is contingent on NYSOFA 2011 final funding allocations and the approval of the 2011 County Budget.

Mr. Miller moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, adopted.

RESOLUTION NO. 776-10: AUTHORIZATION TO CONTRACT WITH CORNELL COOPERATIVE EXTENSION FOR NUTRITION EDUCATION AND SENIOR CENTER TRAINING

Mrs. Crane presented the following:

WHEREAS, the Department of Aging and Youth receives Residence Opportunities and Self Sufficiency (ROSS) grant funds to provide case management services for seniors at the Newark High-Rise and nutrition education has been identified as a priority issue in this grant; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Cornell Cooperative Extension from January 1, 2011 through December 31, 2011, to provide twelve monthly Nutrition Education workshops at \$86.00 per workshop at the Newark High-Rise; and be it further

RESOLVED, that the cost for these services will not exceed \$1,032 and is contingent on ROSS funding allocations.

Mr. Miller moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, adopted.

RESOLUTION NO. 777-10: 2011 PRE-TRIAL DIVERSION AND HOMELESS PROGRAM CONTRACT RENEWALS FOR THE DEPARTMENT OF AGING AND YOUTH

Mrs. Crane presented the following:

WHEREAS, Wayne County Department of Aging and Youth contracts with Wayne Pre-Trial Diversion to provide homeless and diversion services to Wayne County Youth; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Wayne Pre-Trial Services, Inc., for the operation of a Pre-Trial Diversion Program and a Homeless Youth Program for Wayne County Youth. The funding is contingent on OCFS 2011 final funding allocations and the approval of the 2011 County Budget. The contract period is January 1, 2011 through December 31, 2011. The contract will be for the time period of January 1, 2011 through December 31, 2011 in an amount not to exceed \$136,770 to be derived from the following sources:

County Tax Revenues	\$71,715
State Aid Reimbursement (to County)	16,936 (YDDP)
State Aid Reimbursement (to County)	13,557 (SDPP)
State Aid Reimbursement (to County)	34,562 (RHY-II)
TOTAL	\$136,770

RESOLVED, that the County shall pay the contractor the sum of \$22,800. in January 2011 and the sum of \$11,397 in each of the months February-November 2011.

Mr. Miller moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, adopted.

RESOLUTION NO. 778-10: AUTHORIZATION FOR 2011 FAMILY COUNSELING OF THE FINGER LAKES CONTRACT RENEWAL FOR THE DEPT OF AGING AND YOUTH

Mrs. Crane presented the following:

WHEREAS, The Wayne County Department of Aging and Youth contracts with Family Counseling Service of the Finger Lakes, Inc., for the provision of family and youth counseling services. Emphasis is placed on youth who are experiencing risk factors such as school failure, truancy, poor social/family relations, and/or acting out behavior. Services will be provided to 75 youth. The program budget is not to exceed \$29,780; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the Family Counseling of the Finger Lakes, Inc. in the amount of \$29,780. The funding is contingent on OCFS 2011 final funding allocations and the approval of the 2011 County Budget. The contract period is January 1, 2011 through December 31, 2011.

Mr. Miller moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, adopted.

RESOLUTION NO. 779-10: AUTHORIZATION TO SUBMIT OCFS RESOURCE

ALLOCATION PLAN FOR THE DEPARTMENT OF AGING AND YOUTH

Mrs. Crane presented the following:

WHEREAS, NY State Office of Children and Family Services funding requires the Chairman of the Board to sign the OCFS Resource Allocation Plan for the year 2011 in order to receive funding to support various youth service and recreation programs in Wayne County, therefore be it

RESOLVED, that the Wayne County Department of Aging and Youth requests authorization for the Chairman of the Board of Supervisors sign the OCFS Resource Plan for the year 2011.

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted.

RESOLUTION NO. 780-10: AUTHORIZATION FOR THE DIRECTOR OF THE DEPARTMENT OF AGING AND YOUTH TO SIGN 2011 OCFS BUDGET AMENDMENTS

Mrs. Crane presented the following:

WHEREAS, the NY State Office of Family and Children Services Resource Allocation Plan stipulates that the Chief Executive may authorize the Youth Bureau Director to sign OCFS Youth Bureau budget amendments and this authorization must be given in writing and filed annually with the State OCFS Regional Office and the Board of Supervisors will still approve all modifications to the County Budget by the current procedure; now, therefore be it

RESOLVED, the Chairman of the Board of Supervisors authorizes the Director of the Department of Aging and Youth, Penny Shockley, to sign the OCFS budget amendments for the 2011 program year.

Mr. Kelsch moved the adoption of the resolution. Seconded by Mr. Lauderdale. Upon roll call, adopted.

RESOLUTION NO. 781-10: AUTHORIZE CONTRACT WITH WAYNE COUNTY ACTION PROGRAM FOR TRANSPORTATION SERVICES FOR DEPT OF SOCIAL SERVICES

Mrs. Crane presented the following:

WHEREAS, Wayne County desires to provide transportation services for individuals to seek and maintain employment and Wayne County Department of Social Services desires to do this in the most cost-effective manner possible and Wayne County Action Program has secured a grant to provide weekend transportation to TANF eligible individuals which requires a 20% match and this service is significantly more cost-effective than the present system; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into a contract, subject to review by the County Attorney, with the Wayne County Action Program, Inc. for the provision of transportation services for the timeframe 11/1/10-10/31/11 at a cost not to exceed \$5150 as the County's matching share.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 782-10: AUTHORIZE CONTRACT WITH WAYNE COUNTY ASSOCIATION FOR RETARDED CITIZENS FOR SERVICES TO NON-COMPLIANT RECIPIENTS

Mrs. Crane presented the following:

WHEREAS, Wayne ARC has worked effectively with non-compliant adults in the past to get them back involved with meeting work requirements and due to the past success of this program, Wayne DSS desires to contract with Wayne ARC from 1/1/10-12/31/10, using \$75,000 of TANF funding toward this program helps Wayne DSS meet federal participation rate requirements; therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into a contract, subject to the review of the County Attorney, the total of which is not

to exceed \$75,000 for the timeframe 1/1/11-12/31/11; and be it further

RESOLVED, that there are no county monies included in the cost of this contract.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 783-10: AUTHORIZE CONTRACT WITH FL ADDICTIONS COUNSELING & REFERRAL AGENCY FOR DRUG/ALCOHOL ASSESSMENTS

Mrs. Crane presented the following:

WHEREAS, the Wayne County Department of Social Services (DSS) is required to contract for drug/alcohol assessment services for those applying for cash assistance; and Wayne DSS is required to provide a choice of assessment options; and

WHEREAS, Wayne DSS is reimbursed at a rate of \$40.00 per assessment by the New York State Office of Temporary and Disability Assistance; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement between with Finger Lakes Addictions Counseling & Referral Agency, Inc. (FLACRA), subject to the County Attorney's approval as to form and content, for the provision of drug/alcohol assessment services during the period 1/1/11 - 12/31/11 at a fee of \$40.00 per assessment.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 784-10: AUTHORIZE CONTRACT WITH CLIFTON SPRINGS HOSPITAL FOR DRUG/ALCOHOL ASSESSMENTS

Mrs. Crane presented the following:

WHEREAS, the Wayne County Department of Social Services (DSS) is required to contract for drug/alcohol assessment services for those applying for cash assistance and Wayne DSS is required to provide a choice of assessment options and Wayne DSS is reimbursed at a rate of \$40.00 per assessment by the New York State Office of Temporary and Disability Assistance, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement with Clifton Springs Hospital, subject to the County Attorney's approval as to form and content, for the provision of drug/alcohol assessment services during the period 1/1/11-12/31/11 at a fee of \$40.00 per assessment.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 785-10: AUTHORIZE CONTRACT WITH CATHOLIC FAMILY CENTER FOR DRUG/ALCOHOL ASSESSMENTS FOR DEPT OF SOCIAL SERVICES

Mrs. Crane presented the following:

WHEREAS, the Wayne County Department of Social Services (DSS) is required to contract for drug/alcohol assessment services for those applying for cash assistance and Wayne DSS is required to provide a choice of assessment options and Wayne DSS is reimbursed at a rate of \$40.00 per assessment by the New York State Office of Temporary and Disability Assistance; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement with Catholic Charities of the Diocese of Rochester, d/b/a Catholic Family Center, subject to the County Attorney's approval as to form and content, for the provision of drug/alcohol assessment services during the period 1/1/11-12/31/11 at a fee of \$40.00 per assessment.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 786-10: AUTHORIZATION TO EXECUTE CONTRACTS IN RELATION TO CHILD CARE DEVELOPMENT BLOCK GRANT PROJECT FOR THE

DEPARTMENT OF SOCIAL SERVICES

Mrs. Crane presented the following:

WHEREAS, the NYS Office of Children and Family Services (OCFS) is authorized to register and inspect child day care programs or to contract for this service and local departments of Social Services (LDSS) are qualified to fulfill the required responsibilities and NYS OCFS provides Child Care and Development Block Grant (CCDBG) funds to Wayne County Department of Social Services to subcontract for these services; 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 approval as to form and content, with the New York State Office of Children and Family Services regarding the use of federal funds under the Child Care Development Block Grant (CCDBG) for the period 1/1/10 to 12/31/10; and be it further

RESOLVED that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a subcontract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the Child Care Council, Inc. for the provision of services required by the Contract between the Wayne County Department of Social Services and the New York State Office of Children & Family Services for the period 1/1/11 to 12/31/11.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 787-10: AUTHORIZE CONTRACT WITH FAMILY COUNSELING SERVICES OF THE FINGER LAKES FOR THE PROVISION OF SEXUAL ABUSE TREATMENT SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES

Mrs. Crane presented the following:

WHEREAS, many children in Wayne County become victims of sexual abuse each year and these children need treatment to successfully recover from this abuse and carry on productive lives; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into a contract with Family Counseling Services of the Finger Lakes, subject to the approval of the County Attorney, for the provision of sexual abuse treatment services for an amount not to exceed \$51,000, for the period 1/1/11 – 12/31/11.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 788-10: AUTHORIZING AGREEMENT WITH FLCC FOR DSS EMPLOYEE TRAINING

Mrs. Crane presented the following:

WHEREAS, training is an integral and necessary component of DSS work responsibilities and NY State underwrites costs for training provided through contract with local Community Colleges and Finger Lakes Community College has suitably and effectively provided training in the past; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an agreement on behalf of the Wayne County Department of Social Services, subject to the County Attorney's approval as to form and content, with the Finger Lakes Community College to provide training for employees of the Department of Social Services for the period January 1, 2011 to December 31, 2011 at a total project cost not to exceed \$39,968.

Mr. Groat moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, adopted.

RESOLUTION NO. 789-10: AUTHORIZE AGREEMENT WITH ONTARIO COUNTY FOR

USE OF NON-SECURE DETENTION FACILITY IN HOPEWELL FOR THE DEPARTMENT OF SOCIAL SERVICES

Mrs. Crane presented the following:

WHEREAS, Wayne County is required to have non-secure detention available as an alternative for placement of youth involved with either PINS or JD court proceedings and Wayne DSS desires to secure the most cost-effective site possible; and

WHEREAS, the Hopewell Facility is the most cost-effective site to secure these services; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized, to execute an agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Ontario County for the provision of non-secure detention beds at its Hopewell Facility at a rate not to exceed \$230 per day per child plus a \$20 per child health assessment fee for the period 1/1/11 – 12/31/11.

Mr. Hammond moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

RESOLUTION NO. 790-10: AUTHORIZE AGREEMENT WITH PROBATION DEPARTMENT AND THE DEPARTMENT OF SOCIAL SERVICES

Mrs. Crane presented the following:

WHEREAS, the placement costs for youth are increasing and community-based services are needed and the PINS legislation has changed the relative roles and responsibilities of the Wayne County Probation Department as the lead agency for PINS and the Wayne County Probation Department has developed an intensive school-based oversight and decision process; and

WHEREAS, this process is preventive in nature, designed to prevent placement of youth (individuals on probation/siblings and friends of those youth/school-identified at-risk youth) outside of their homes at significant county expense; now, therefore, be it

RESOLVED, that the Commissioner of Social Services is hereby authorized to enter into an agreement, subject to the review of the County Attorney, for the provision of Probation Services for the timeframe 1/1/11-12/31/11 at a cost not to exceed \$306,368.

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted.

RESOLUTION NO. 791-10: AUTHORIZE CONTRACT WITH WAYNE BEHAVIORAL SERVICES FOR INTENSIVE SEXUAL ABUSE SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES

Mrs. Crane presented the following:

WHEREAS, it is the intention of Wayne County to meet the needs of its youth in their home communities if feasible and quality intensive sexual abuse services are available through Wayne Behavioral Services; and

WHEREAS, the provision of these services may be an integral component of obviating the need for long-term institutionalization; now, therefore, be it

RESOLVED, that the Commissioner of the Wayne County Department of Social Services is hereby authorized to enter into an agreement with Wayne Behavioral Services for the provision of Intensive Sexual Abuse Services at a cost not to exceed \$50,000, for the timeframe 1/1/11 – 12/31/11 subject to the county attorney's review.

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted.

RESOLUTION NO. 792-10: AUTHORIZE CONTRACT WITH WAYNE COUNTY ACTION PROGRAM, INC. FOR RESPITE SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES

Mrs. Crane presented the following:

WHEREAS, New York State PINS legislation mandates each county to provide respite

services as an alternative to non-secure detention and the cost of non-secure detention is significantly higher than the cost of respite services; and

WHEREAS, the Wayne County Action Program, Inc. has provided respite services to the PINS/Preventive program in Wayne County; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into a contract, subject to review by the County Attorney, with the Wayne County Action Program, Inc. for the provision of respite services for the timeframe 1/1/11-12/31/11 at a per diem rate of up to \$60.00.

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted.

RESOLUTION NO. 793-10: AUTHORIZE CONTRACT WITH YOUTH ADVOCACY PROGRAM FOR THE DEPARTMENT OF SOCIAL SERVICES

Mrs. Crane presented the following:

WHEREAS, youth are being placed outside their homes at a significant expense to the County and many of these youth, if given the necessary and appropriate services, could stay in the community and youth already placed outside their homes may be able to be returned to the community if provided the appropriate services and such services and service coordination can be provided and/or arranged for by the Youth Advocacy Program; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into a contract, subject to the County Attorney's review, with the Youth Advocacy Program in an amount not to exceed \$320,000 for the timeframe 1/1/11 - 12/31/11 for the purpose of reducing youth out-of-home placements.

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted. Upon roll call, adopted.

RESOLUTION NO. 794-10: AUTHORIZE CONTRACT WITH FAMILY COUNSELING SERVICE OF THE FINGER LAKES, INC. FOR SEXUAL ABUSE VERIFICATION SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES

Mrs. Crane presented the following:

WHEREAS, Wayne County Department of Social Services (DSS) is required to investigate reports of suspected abuse and neglect, including sexual abuse and Wayne DSS desires to obtain an expert analysis of sexual abuse allegations; and

WHEREAS, Family Counseling Service of the Finger Lakes, Inc. has employees with such expertise; 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 approval as to form and content, with Family Counseling Service of the Finger Lakes, Inc. regarding the use of Preventive funds under the Child and Family Services Block Grant for the provision of Sexual Abuse Services for the term 1/1/11-12/31/11 for an amount not to exceed \$42,000.

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted. Upon roll call, adopted.

RESOLUTION NO. 795-10: AUTHORIZE CONTRACT WITH VICTIM RESOURCE CENTER, INC. FOR NON RESIDENTIAL DOMESTIC VIOLENCE SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES

Mrs. Crane presented the following:

WHEREAS, Wayne County Department of Social Services is required to provide services to victims of Domestic Violence and Victim Resource Center, Inc. is a certified Domestic Violence agency that has provided both residential and non-residential services to Domestic Violence victims for a number of years in Wayne County and Wayne DSS

receives reimbursement from NY State for such services; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an agreement with Victim Resource Center, Inc., subject to the County Attorney's approval as to form and content, for the provision of Non Residential Domestic Violence Services during the period 1/1/11 - 12/31/11 subject to a maximum contract amount of \$22,716.

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted. Upon roll call, adopted.

RESOLUTION NO. 796-10: AUTHORIZE CONTRACT WITH VICTIM RESOURCE CENTER OF THE FINGER LAKES, INC. FOR THE PROVISION OF DOMESTIC VIOLENCE RESIDENTIAL SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES

Mrs. Crane presented the following:

WHEREAS, Wayne County Department of Social Services (DSS) is responsible for ensuring a safe place is available for victims of Domestic Violence and Victim Resource Center of the Finger lakes, Inc, (VRC) is certified to provide residential services in Wayne County and VRC has provided such residential services in a competent manner in the past; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a contract with the Victim Resource Center of the Finger Lakes, Inc., subject to the County Attorney's approval as to form and content, for the provision of Residential Domestic Violence Services in accordance with 18 NYCRR 408. The term of the contract will be 1/1/11 through 12/31/11 at a cost not to exceed \$70,000.

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted. Upon roll call, adopted.

RESOLUTION NO. 797-10: AUTHORIZE CONTRACT WITH CATHOLIC CHARITIES OF THE DIOCESE OF ROCHESTER D/B/A CATHOLIC CHARITIES OF WAYNE COUNTY FOR THE PROVISION OF PREVENTIVE SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES

Mrs. Crane presented the following:

WHEREAS, Wayne County is required to provide a Designated Assessment Service for potential PINS youth and Wayne DSS desires to contract for this service with an agency that has developed an expertise and track record in this area; and

WHEREAS, Catholic Charities has developed both an expertise and effective track record; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an Agreement with Catholic Charities of the Diocese of Rochester d/b/a Catholic Charities of Wayne County, subject to the County Attorney's approval as to form and content, for the provision of Preventive Services to the Department of Social Services during the period 1/1/11-12/31/11 subject to a maximum contract amount of \$283,500.

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted. Upon roll call, adopted.

RESOLUTION NO. 798-10: AUTHORIZE CONTRACT WITH LEGAL ASSISTANCE OF WESTERN NEW YORK, INC. FOR LEGAL ADVOCACY PROJECTS FOR THE DEPARTMENT OF SOCIAL SERVICES

Mrs. Crane presented the following:

WHEREAS, there is a need for legal services for employment-related issues and education issues and these services are expected to increase employment and secure needed educational services to allow youth to stay in the community and, Legal Assistance of the Finger Lakes has experience and expertise in these areas; 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 Legal Assistance of Western New York, Inc. for the provision of Legal Advocacy Projects during the 11/1/10 – 12/31/11 timeframe at a cost not to exceed \$40,000.

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted. Upon roll call, adopted.

RESOLUTION NO. 799-10: AUTHORIZATION TO CREATE TEMPORARY POSITION AT DEPARTMENT OF SOCIAL SERVICES

Mrs. Crane presented the following:

WHEREAS the Legal unit provides direct legal support for all programs of the Department of Social Services and the Senior Typist in the Legal Unit provides direct support to the three social services attorneys to coordinate communication and maintain the flow of work between our Department and the court system; and

WHEREAS, the employee presently in the Senior Typist position in the Legal Unit is out on medical leave with no definite date of return and this position is required to provide statutorily mandated Legal Services; now, therefore, be it

RESOLVED, that a position of Temporary Senior Typist is hereby created for a period not to exceed three months or until the individual on medical leave returns to work.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

Dominic Mazza, ICMA-CM, MPA, Municipal Consultant with The Bonadio Group' addressed Board Members to give a brief presentation of the services that The Bonadio Group provides, as well as answer any proposed questions that they may have.

RESOLUTION NO. 800-10: AUTHORIZE CONTRACT WITH BONADIO GROUP FOR THE DEPARTMENT OF SOCIAL SERVICES

Mrs. Crane presented the following:

WHEREAS, Wayne County desires to keep Medicaid (MA) costs as low as possible and Consumer fraud is a primary source of unnecessary MA expense and eligibility workers in the MA unit are not Certified Public Accountants (CPA's) nor is it fiscally sound to provide an equal level of training to these workers and Medicaid applicants, especially those who are self employed, often have complicated financial information/situations that require CPA level skills/training to comprehensively evaluate for MA eligibility and potential fraud; and

WHEREAS, for the purpose of ascertaining Medicaid eligibility, the Bonadio Group has CPA services available and has provided such services to Western NY Counties since 2007 and the cost for these services is fully reimbursed by the NY State Medicaid Program; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an agreement with the Bonadio Group for Medicaid Eligibility CPA services at a rate not to exceed \$150/hour, subject to the review of the County Attorney, for the timeframe of 12/1/10 – 12/31/11.

Mr. Groat moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 801-10: AUDIT OF CLAIMS – November 16, 2010

Mr. Hammond 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 \$4,798,908.62 are hereby approved for payment and the Treasurer is hereby authorized and directed to make payment of the same:

A Fund	\$ 2,964,587.30
D Fund	\$ 322,214.41
DM Fund	\$ 86,497.00
E Fund	\$ 411,571.68
H Fund	\$ 960,364.53
MS Fund	\$ 30,562.70
S Fund	\$ 23,111.00
<i>Warrant Total</i>	\$ 4,798,908.62

and be it further

RESOLVED, that the following utilities totaling \$93,623.42, processed pursuant to Resolution No. 176-78, are hereby ratified:

A Fund	\$ 62,123.83
H Fund	\$ 5,300.53
DM Fund	\$ 2,646.02
E Fund	\$ 23,553.04
<i>Utility Total</i>	\$ 93,623.42

and be it further

RESOLVED, that miscellaneous disbursement checks were processed for the following County Departments, totaling \$182,902.90, are hereby ratified:

Misc. Disbursement Total	\$ 182,902.90
<u>November Payments Total</u>	\$ 5,075,434.94

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, adopted.

AD HOC - BUILDING RELOCATION COMMITTEE

RESOLUTION NO. 802-10: AUTHORIZATION TO EXECUTE AN AGREEMENT WITH SWBR ARCHITECTS

Mr. Spickerman presented the following:

WHEREAS, the Building Relocation Committee had requested a proposal from SWBR for a complete site signage review and recommendations and SWBR has provided a proposal for said services as follows:

- Design and Planning Phase 1 Services at a total cost of \$11,150.00
- Implementation Services Phase 2 at a total cost of \$ 6,300.00

now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an agreement with SWBR Architects, subject to the approval of the County Attorney as to form and content, as described above at a total cost of \$17,450; and be it further

RESOLVED, that the Phase 2 Implementation Services portion of the work will only commence after approval of the Relocation Committee; and be it further

RESOLVED, that the County Treasurer is authorized to make the following adjustments to the project budget:

H1925 Building Renovation Project
 \$17,450 from .52818 Contingency
 \$16,650 to .52800 A/E Fees
 \$ 800 to .52801 Reimbursables

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, adopted.

EXECUTIVE SESSION: Mrs. Collier moved, seconded by Mr. Kelsch, that the Board go into Executive Session to discuss a personnel issue at 11:15 a.m.

The Chairman requested that Charles Dye, Director of Human Resources, remain in the Supervisors' Chambers for this executive session. Upon roll call, carried.

REGULAR SESSION: Ms. Park moved, seconded by Mr. LeRoy that the Board resume regular session at 11:30 a.m. Carried.

ADJOURNMENT:

The next scheduled meeting of the Board is the Public Hearing for the 2011 Wayne County Budget, Tuesday, December 7, 2010 at 7:00 p.m.

Mr. Colacino moved, seconded by Mr. Miller, that the board adjourn at 11:33 a.m. Carried.

Sandra J. Sloane, Clerk, Wayne County Board of Supervisors

24th Day
Tuesday, December 7, 2010
7:00 p.m.

The Board of Supervisors met pursuant to adjournment in their room in the Court House, Chairman Hoffman presiding.

The Pledge of Allegiance was led by Supervisor Spickerman. Upon roll call, all Supervisors were present, except Supervisor Plant who was absent.

County Administrator James Marquette and County Attorney Daniel Wyner were also present.

APPROVAL OF MINUTES:

Ms. Park moved, seconded by Mr. Miller, to waive the reading of the minutes of the previous meeting and approve them as distributed. Upon roll call, carried.

PRIVILEGE OF THE FLOOR:

Chairman Hoffman reported to Board members, that at this time, no one had requested to address the Board for opinion under privilege of the floor.

The Clerk read the following Notice of Public Hearing on schedule:

**NOTICE OF PUBLIC HEARING
BUDGET FOR WAYNE COUNTY**

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the County of Wayne will meet at the Supervisors' Chambers in the Court House in the Village of Lyons, New York on the 7th day of December 2010 at 7:00 pm for the purpose of holding a public hearing on the Tentative Budget of said County for the fiscal year beginning January 1, 2011, at which time all residents of Wayne County will have the right to present written or oral comments on the Tentative Budget.

FURTHER NOTICE IS HEREBY GIVEN that copies of the Tentative Budget will be available at the office of the Clerk of the Board of Supervisors at the Court house, 26 Church Street, Lyons, New York, where they may be inspected or procured by any interested persons during business hours.

Pursuant to Section 359 of the County Law, the maximum salaries that may be fixed and

payable during said fiscal year to the members of the Board of Supervisors and the Chairman thereof, respectfully, are hereby specified as follows:

Supervisors (each)	\$15,095
Chairman of the Board	\$20,338

BUDGET SUMMARY

<u>Categories</u>	<u>Other Fund Appropriations</u>
General Government	26,344,810
Education	3,400,000
Public Safety	21,544,556
Health	24,551,688
Transportation	38,378
Economic Assistance - Social Services	41,082,147
Recreation and Culture	820,771
Home and Community Services	1,846,116
Undistributed Employee Benefits	1,939,800
Debt Service	752,064
Inter-Fund Transfer	8,639,615
Workforce Development	0
Highway	11,078,960
Enterprise	21,375,285
Worker Compensation	2,701,598
Deferred and Uncollected Taxes	0
GRAND TOTAL	<u>\$166,115,788</u>

By the Order of the Wayne County Board of Supervisors

Dated: November 22, 2010
Lyons, New York

Sandra J. Sloane, Clerk
Wayne County Board of Supervisors

Chairman Hoffman opened the floor for public comment at 7:07 p.m., giving brief instruction regarding the Board's procedures that are followed for all hearings. Further, he requested that persons interested in addressing the Board with their comments to come forth to the podium. No members of the public requested time to speak.

After allowing time for the opportunity for public comment on the proposed 2011 Wayne County Budget, Chairman Hoffman requested a motion to close the hearing.

At 7:12 p.m., Mr. LeRoy moved, seconded by Mr. Groat, that the hearing be closed. Upon roll call, carried.

RESOLUTION NO. 803-10: RESOLUTION AMENDING RESOLUTION NO. 687-10 WHICH ESTABLISHED COUNTY AUDIT REVIEW AND APPROVAL PROCEDURES DURING VACANCY OF COUNTY AUDITOR POSITION

Mr. Hammond presented the following:

WHEREAS, Resolution No. 687-10 established the audit procedure during the vacancy in the County Auditor position and it is necessary to amend the procedure to ensure that the Interim Audits can be reviewed and approved on short notice and that there are sufficient individuals available to perform said review and approval; now, therefore, be it

RESOLVED, that the first "RESOLVED" clause of Resolution No. 687-10 is hereby amended as follows:

"RESOLVED, that during the vacancy of the County Auditor position, interim audit payments may be authorized for payment with the approval of two of the three of the

following individuals: the Finance Committee Chairperson, the Finance Committee Vice Chairperson, and/or the Chairman of the Board of Supervisors after the claim has been reviewed”.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

RESOLUTION NO. 804-10: AUTHORIZATION TO TRANSFER FUNDS FOR THE 2010 WAYNE COUNTY BUDGET TO AMEND PUBLIC SAFETY BUILDING PROJECT

Mr. Hammond presented the following:

WHEREAS, the budget established for the Public Safety Building Renovation Project did not contain funding for most furniture, fixtures, and equipment as part of the project pending additional review by the Relocation Committee and the County retained Vargas Associates to assist with the review of existing furniture, fixtures, and equipment; and

WHEREAS, Vargas Associates has completed its assessment of the condition of existing furniture and the needs for the departments that will be occupying the renovated building and some members of the Relocation Committee completed an furniture, fixtures, and equipment assessment walk through of departments that will be relocating to the new facility to familiarize themselves with the condition of existing equipment; and

WHEREAS, some members of the Relocation Committee completed a site visit to review reconditioned furniture, fixtures, and equipment to familiarize themselves with the potential result of acquiring reconditioned items and the Relocation Committee has reviewed the Vargas Associates recommendations and has recommended that the County seeks bids for both new and reconditioned furniture, fixtures, and equipment; and

WHEREAS, a portion of the anticipated costs (\$75,000) of the acquisition relating to the Emergency Management Department have been earmarked from licensing fee revenue in that department and it is necessary to have sufficient funds in place for the balance of the departments prior to authorizing bidding; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to amend the county budget as follows:

A 1990 CONTINGENT FUND GEN

\$625,000 from .54000 Contractual Expenses

A 9950 TRANSFER TO CAPITAL FUND PROJECT

\$625,000 TO .52775 County Building Renovations

H1925 COUNTY BUILDING RENOVATION

(Revenue)

\$625,000 TO .45031 Interfund Transfer

(Appropriation)

\$625,000 to .52807 FF & E

Mr. Colacino moved the adoption of the resolution. Seconded by Mr. LeRoy. Upon roll call, adopted.

RESOLUTION NO. 805-10: AUTHORIZATION TO AMEND THE 2011 TENTATIVE COUNTY BUDGET

Mr. Hammond presented the following:

WHEREAS, the 2011 County Tentative budget was filed with the Clerk of the Board on November 15, 2010 and accepted by the Board of Supervisors on November 16, 2010; and

WHEREAS, the Board of Supervisors is desirous of amending said 2011 Wayne County Tentative Budget prior to its adoption as the 2011 Wayne County Budget; now, therefore, be it

RESOLVED, that the Board of Supervisors does hereby amend the 2011 Wayne County Tentative Budget as follows:

A 4019 WAYNE COMMUNITY NURSING CARE

(revenues)

\$27,385 from .41612 Medicare
(appropriations)
\$ 850 from .52201 Computer Equipment
\$33,600 from .52300 Motor Vehicles
\$19,000 from .54527 Public Relations
\$49,500 to .51585 RN Temp
\$24,959 from .51282 RP Nurse
\$ 7,976 from .58100 Payments to NYS Retirement
\$9,500 to .54000 Contractual Expenses
A 4300 BEHAVIORAL HEALTH
\$42,428 from .51498 Addictions Therapist
\$42,428 to .51322 Staff Social Worker

Prior to vote, County Administrator Marquette was requested to explain the necessity of this amendment to the tentative 2011 Wayne County Budget.

Ms. Park moved the adoption of the resolution. Seconded by Mr. Kelsch.

Mr. Spickerman requested to address the Board with the following comment. This Board of Supervisors is always critical of State Mandates and rightfully so, as we have no choice. So why do we continue to 'subsidize the state' by \$ 5.4 million for educational purposes in this county when we have a choice? *This* tax distribution is not mandated.

Upon roll call, adopted.

RESOLUTION NO. 806-10: AUTHORIZATION TO CREATE POSITIONS IN PUBLIC HEALTH DEPARTMENT AND AT NURSING HOME AND AMENDING BUDGET

Mr. Hammond presented the following:

WHEREAS, in order to provide the departments with the ability to maintain continuity of operations it is necessary to create two positions in 2010 that are contained in the 2011 budget; and in both instances sufficient resources exist to fund the positions for the balance of 2010; now, therefore, be, it

RESOLVED, that one Management/Confidential position of Deputy Director of Public Health within the Public Health Department is hereby created at an annual salary of \$63,500; and be it further

RESOLVED, that one position Grade 1 of the CSEA Supervisory Unit titled Household Coordinator within the Nursing Home is hereby created; and be it further

RESOLVED, that the County Treasurer is authorized to make the following adjustments to the 2010 Wayne County Budget:

A 4019 Wayne Community Nursing Care

\$2442 to .51580 Deputy Director Public Health

\$4884 from .51334 Public Health Supervisor

A 4010 Public Health

\$2442 to .51580 Deputy Director Public Health

E 6000 NH Combined

\$2793 from .51903 Non-Positions

\$2793 to .51559 Household Coordinator

Ms. Park moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, all Supervisors voted Aye. Absent – Supervisor Plant. The Chairman declared the Resolution adopted.

RESOLUTION NO. 807-10: AUTHORIZATION TO AMEND RESOLUTION NO. 694-10 STATEMENT OF LEVY OF CHARGES FOR TOWN ACCOUNTS

Mr. Hammond presented the following:

WHEREAS, the Clerk of the Board of Supervisors has submitted a statement of

accounts chargeable to the several towns of Wayne County as set forth in Resolution No. 694-10 and, there are certain corrections that need to be made regarding said resolution; now, therefore, be it

RESOLVED, that Resolution No. 694-10 is amended to read as follows:

STATEMENT OF TOWN ACCOUNTS - NOVEMBER 1, 2009 THROUGH OCTOBER 31, 2010

Town of Arcadia

Worker's Compensation	36,369.00
Cablevision Franchise Tax	6,582.29
2010 Tax Roll Excess and Deficit	-0.55

Erroneous Taxes and Chargebacks

Res #	Name	Year	Amount	
164-10	Dorothy Keesler	2010	32.73	
183-10	Orlando & Beverly Gullo	2010	58.83	
477-10	Erma Mancuso	2010	40.72	132.28
				<u>132.28</u>
				<u>\$ 43,083.02</u>

Town of Butler

Worker's Compensation	7,462.00
Cablevision Franchise Tax	14.99
2010 Tax Roll Excess and Deficit	-.23

Erroneous Taxes and Chargebacks

	<u>.00</u>
	<u>\$ 7,476.76</u>

Town of Galen

Worker's Compensation	12,135.00
Cablevision Franchise Tax	1,287.30
2010 Tax Roll Excess and Deficit	-.20

Erroneous Taxes and Chargebacks

	<u>0.00</u>
	<u>\$ 13,422.10</u>

Town of Huron

Worker's Compensation	19,025.00
Cablevision Franchise Tax	1,525.39
2010 Tax Roll Excess and Deficit	.36

Erroneous Taxes and Chargebacks

Res #	Name	Year	Amount	
163-10	R Marshall/N Kasper	2010	56.22	
163-10	T Bayer/K VanZiles	2010	418.43	
183-10	R & D Zamanian	2010	256.18	730.83
				<u>730.83</u>
				<u>\$ 21,281.58</u>

Town of Lyons				
Worker's Compensation				24,117.00
Cablevision Franchise Tax				1,793.38
2010 Tax Roll Excess and Deficit				.08
Erroneous Taxes and Chargebacks				0.00
				<u>0.00</u>
				<u>\$ 25,910.46</u>

Town of Macedon				
Cablevision Franchise Tax				4,061.08
2010 Tax Roll Excess and Deficit				-86

Erroneous Taxes and Chargebacks					
Res #	Name	Year	Amount		
184-10	Town of Macedon	2010	794.93		
234-10	Town of Macedon	2009	2,043.91		
Court Order	R & BJ Murphy	2009	256.22		
Court Order	BJ Murphy	2009	999.66	4,094.72	
				<u>4,094.72</u>	
				<u>\$ 8,154.94</u>	

Town of Marion				
Worker's Compensation				18,496.00
Cablevision Franchise Tax				2,762.32
2010 Tax Roll Excess and Deficit				-1.02
Erroneous Taxes and Chargebacks				0.00
				<u>0.00</u>
				<u>\$ 21,257.30</u>

Town of Ontario				
Worker's Compensation				73,705.00
Cablevision Franchise Tax				3,280.01
2010 Tax Roll Excess and Deficit				-3.57

Erroneous Taxes and Chargebacks					
	Name	Year	Amount		
Court Order	RE Ginna Nuclear Power	2010	11,119.88	0.00	
Court Order	RE Ginna Nuclear Power	2010	7,174.12	0.00	
				<u>0.00</u>	
		<i>Pd.</i>			
		11/12/20	\$ 18,294.00	<u>\$ 76,981.44</u>	

Town of Palmyra				
Worker's Compensation				23,795.00
Cablevision Franchise Tax				3,650.46
2010 Tax Roll Excess and Deficit				-18
Erroneous Taxes and Chargebacks				.00

Res #	Name	Year	Amount	
Court Order	Marquart Village	2009	2,039.34	
Court Order	Marquart Village	2010	<u>2,348.60</u>	<u>4,387.94</u>
				<u>\$31,833.22</u>
Town of Rose				
	Worker's Compensation			9,149.00
	Cablevision Franchise Tax			423.37
	2010 Tax Roll Excess and Deficit			.25
	Erroneous Taxes and Chargebacks			.00
Res #	Name	Year	Amount	
308-10	Town of Rose	2010	<u>647.96</u>	<u>647.96</u>
				<u>\$ 10,220.58</u>
Town of Savannah				
	Cablevision Franchise Tax			198.78
	2010 Tax Roll Excess and Deficit			-.31
	Erroneous Taxes and Chargebacks			.00
				<u>\$ 198.47</u>
Town of Sodus				
	Worker's Compensation			46,757.00
	Cablevision Franchise Tax			3,401.78
	2010 Tax Roll Excess and Deficit			-.69
	Erroneous Taxes and Chargebacks			
Res #	Name	Year	Amount	
940-09	P Hogan	2007		6.07
940-09	P Hogan	2008		6.36
940-09	P Hogan	2009		11.87
940-09	G Reithel	2009		58.64
21-10	Alton Correction	2010	22,655.88	
21-10	Verizon Correction	2010	221.85	
21-10	RG&E Correction	2010	4,277.05	
21-10	Time Warner Correction	2010		261.28
481-10	ML Odell	2009		620.66
592-10	ML Odell	2009		507.24
730-10	P & MA Riker	2009	<u>14.82</u>	<u>28,641.72</u>
				Balance
		<i>Pd.</i>		Paid in Full
		11/12/20	\$79,269.87	<u>\$ 0.00</u>
Town of Walworth				

Worker's Compensation			47,434.00
Cablevision Expense	<i>Pd.</i>		
	11/12/20	\$ 2,654.74	0.00
2010 Tax Roll Excess and Deficit			.57
Erroneous Taxes and Chargebacks			0.00
			<u>\$ 47,434.58</u>

Town of Williamson			
Worker's Compensation			39,936.00
Cablevision Franchise Tax			3,913.17
2010 Tax Roll Excess and Deficit			4.66
Erroneous Taxes and Chargebacks			

Res #	Name	Year	Amount	
591-10	T & E Johnson	2010	80.18	
				Balance
				Paid in Full
		<i>Pd.</i>		\$ 0.00
		11/12/20	<u>\$ 44,554.72</u>	

Town of Wolcott			
Worker's Compensation			15,063.00
Cablevision Franchise Tax			1,649.06
2010 Tax Roll Excess and Deficit			.09
Erroneous Taxes and Chargebacks			

Res #	Name	Year	Amount	
164-10	K Kirsch	2010	160.86	
477-10	B & A Biller	2009	168.14	
477-10	B & A Biller	2010	168.82	
591-10	E Miner	2008	65.15	
591-10	E Miner	2009	10.55	
591-10	E Miner	2010	90.56	664.08
				<u>\$ 17,376.23</u>

Grand Total \$324,630.67

Mrs. Bender moved the adoption of the resolution. Seconded by Mr. Lauderdale. Upon roll call, adopted.

AD HOC – Building Relocation Committee

RESOLUTION NO. 808-10: AUTHORIZATION TO ADVERTISE FOR BID PROPOSALS FOR FURNISHINGS, FIXTURES AND EQUIPMENT FOR PUBLIC SAFETY BUILDING

Mr. Spickerman presented the following:

WHEREAS, Vargas Associates has conducted and presented a furniture assessment of the existing furnishings within Departments that are being relocated to the Public Safety

Building to the Building Relocation Committee and, Building Relocation Committee members conducted a walk through of the Departments and have agreed that there are very few items that have any useful life in them and have agreed that the majority of the furnishings are in need of replacement; now, therefore, be it

RESOLVED, that the Clerk of the Board of Supervisors is authorized and directed to advertise for bids for Furnishings, Fixtures and Equipment for the Wayne County Public Safety Building in accordance with specifications prepared by Vargas Associates, Inc.; and be it further

RESOLVED that the specifications shall include options for both new and remanufactured furnishings, subject to approval of the County Attorney and the Superintendent of Buildings and Grounds, as to form and content; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby designated and directed to publicly open the bid(s) at the time and place specified in the bid documents and to present a record of the bid(s) at the next meeting of the Board of Supervisors following the bid opening.

Mr. Colacino moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted.

OTHER BUSINESS

Mr. Kelsch moved, seconded by Mr. LeRoy that four (4) resolutions be allowed on the floor under other business. Motion carried.

RESOLUTION NO. 809-10: LEVYING TAXES AND ASSESSMENTS FOR PURPOSES OF ANNUAL TOWN BUDGETS

Mr. Hammond presented the following:

WHEREAS, a duly certified copy of the annual budget of each of the several towns in the County of Wayne for the fiscal year beginning January 1, 2011, have been presented to the Board of Supervisors; now, therefore, be it

RESOLVED, pursuant to Section 115 of the Town Law, that the following amounts specified in the budgets of the respective Towns for the purpose listed below are hereby levied and assessed upon the real property of the Town liable therefore:

ARCADIA

A	General	\$ 514,044.00
B	General - Outside Village	76,911.00
DA	Highway - Townwide	775,786.00
DB	Highway - Outside Village	<u>342,904.00</u>
		\$1,709,645.00

BUTLER

A	General	\$191,124.00
DA	Highway – Townwide	144,908.00
DB	Highway - Outside Village	<u>87,055.00</u>
		\$423,087.00

GALEN

A	General	\$313,164.00
B	General - Outside Village	-82,316.00
DA	Highway - Townwide	188,764.00
DB	Highway - Outside Village	<u>127,910.00</u>
		\$547,522.00

HURON

A	General	\$267,857.00
DA	Highway - Townwide	<u>528,970.00</u>
		\$796,827.00

<u>LYONS</u>		
A	General	\$433,338.00
DA	Highway - Townwide	358,202.00
DB	Highway - Outside Village	<u>202,932.00</u>
		\$994,472.00
<u>MACEDON</u>		
A	General	\$992,882.00
DA	Highway - Townwide	518,265.00
DB	Highway - Outside Village	<u>236,494.00</u>
		\$1,747,641.00
<u>MARION</u>		
A	General	\$282,263.00
DA	Highway - Townwide	615,406.00
L	Library	<u>115,612.00</u>
		\$ 1,013,281.00
<u>ONTARIO</u>		
A	General	\$ 761,530.00
DA	Highway - Townwide	550,472.00
L	Library	<u>328,806.00</u>
		\$1,640,808.00
<u>PALMYRA</u>		
A	General	\$475,654.00
B	General - Outside Village	80,664.00
DA	Highway - Townwide	377,082.00
DB	Highway - Outside Village	<u>219,559.00</u>
		\$1,152,959.00
<u>ROSE</u>		
A	General	\$227,173.00
DA	Highway - Townwide	<u>397,119.00</u>
		\$624,292.00
<u>SAVANNAH</u>		
A	General	\$128,845.04
DA	Highway - Townwide	<u>237,462.37</u>
		\$366,307.41
<u>SODUS</u>		
A	General	\$639,582.00
DA	Highway - Townwide	650,223.00
DB	Highway - Outside Village	<u>105,531.00</u>
		\$1,395,336.00
<u>WALWORTH</u>		
A	General	\$ 448,377.00
DA	Highway - Townwide	1,031,461.00
L	Library	<u>257,244.00</u>
		\$1,737,082.00
<u>WILLIAMSON</u>		
A	General	\$ 317,489.00
DA	Highway - Townwide	827,748.00
L	Library	<u>494,488.00</u>
		\$1,639,725.00

<u>WOLCOTT</u>		
A	General	\$169,695.00
B	General – Outside	6,897.00
DA	Highway - Townwide	266,203.00
DB	Highway - Outside Village	<u>95,475.00</u>
		\$538,270.00

and be it further

RESOLVED, that the following amounts are hereby assessed and levied upon and shall be collected from the taxable real property liable therefore situated with the fire, fire protection, improvement and other districts listed below for the purposes of such districts as specified in the respective annual budgets:

<u>TOWN</u>	<u>DISTRICT</u>	<u>AMOUNT OF LEVY</u>
<u>ARCADIA</u>	Arcadia Fire Dist #1	\$168,000.00
	SW Water Benefit Area #1	.00
	SW Water Improvement	.00
	Tellier Water District #2	.00
	Fairville Water District #4	30,615.00
	Fairville Ext. Water District #5	38,320.00
	Water District #6	16,350.00
	Water District #7	58,840.00
	Water District #8	20,439.00
	Water District #9	19,913.00
	Water District #10	11,887.00
<u>BUTLER</u>	Water District #11	76,621.00
	Westbury Lighting District	550.00
	Butler Fire Protection District #1	42,791.00
	South Butler Lighting District	1,500.00
	South Butler Fire District	54,211.83
<u>GALEN</u>	Fire District	153,791.00
	Lock Berlin Street Lighting	2,500.00
<u>HURON</u>	Huron-Alton Fire District	27,342.00
	Huron-Wolcott Fire District	24,051.00
	Huron-N. Rose Fire District	70,464.00
	Sodus Bay Aquatic Weed District	65,000.00
	Water District #3	30,000.00
	Water District #4	23,068.00
	Water District #5	20,000.00
	Water District #6	97,900.00
<u>LYONS</u>	New Rt. 31 Sewer District	3,000.00
	Grist Mill Water District	2,000.00
	Westphal Water District	2,000.00
	Grist Mill Lighting District	1,500.00
	Lyons Fire Protection District #1	141,744.03
<u>MACEDON</u>	Old Lyons Rd Water District	7,125.00
	Consolidated Water	.00
	Special Amb	.00
	Special Drainage	127,534.00
	Macedon Center Fire	178,397.00
	Macedon/Farmington Fire	123,704.00
	Walworth Fire	7,759.00
	Gananda Sidewalk	8,500.00
	Macedon Center Light	1,875.00
Gananda Light	16,000.00	

	Macedon Commons	800.00
	Parkwood Heights Light	4,000.00
	Macedon SS #1	-967.00
<u>MARION</u>	Water	.00
	Lighting	11,870.00
	Sidewalks	.00
	Fire	216,822.00
	Arbor Water	3,759.00
	Route 21 Water	.00
	Water NW Quadrant	39,842.00
	Water NE Quadrant	11,391.00
	Water NW Quad Phase II	65,912.00
	Water NW Quad Phase III	42,225.00
	Drainage District	24,000.00
	NE Quadrant Phase II	12,474.00
<u>ONTARIO</u>	Ont. & Union Hill F.P.D.	354,393.00
	Ontario Fire District	57,600.00
	Sewer District #1	155,855.00
	Sewer District #2	11,860.00
	Ontario Light #1	7,700.00
	Ontario Light #2	1,650.00
	Bid District	1,494.00
	Drainage	113,395.00
<u>PALMYRA</u>	Water Districts	
	Central Water	162,525.00
	East Water	2,635.00
	Hydesville Water	4,744.00
	Johnson/Floodman/Parker	23,717.00
	Consolidated Water	46,805.00
	Central Water EXT#1	26,760.00
	Garnsey-Shilling Water	19,167.00
	Southwest Sewer District	5,020.00
	Palmyra FD	63,000.00
	East Palmyra FD	49,329.00
	Port Gibson FD	8,150.00
	Palmyra Comm. Library	285,000.00
<u>ROSE</u>	North Rose Light #1	7,900.00
	Rose Light #2	5,950.00
	Rose-North Rose Water District	130,412.00
	North Rose Fire District	24,536.00
	Rose Fire District	97,057.00
<u>SAVANNAH</u>	Savannah Lighting	11,000.00
	South Butler Lighting	800.00
	Savannah Fire District	85,000.00
	Sewer District No. 1	3,674.00
	Sewer District No. 2	13,875.00
	Sewer District No. 3	2,240.00
	South Butler Fire District	21,038.17
<u>SODUS</u>	Sodus Center Fire District	60,940.00
	Wallington Fire District	32,400.00
	Alton Fire District	20,133.00
	Rural Fire Protection	178,500.00
	Rural Hydrant	300.00
	Alton Lighting District	5,000.00

	Sodus Center Lighting	5,000.00
	Wallington Lighting	2,500.00
	Water #1	12,780.00
	Water #1, Ext. #18	2,790.00
	Water #2	.00
	Water #5	12,140.00
	Water #5, Ext. #1	15,000.00
	Water #5, Ext #2-Centenary Road	15,955.00
	Water #5, Ext #3-Halcus Road	.00
	Water #6	37,615.00
	Water #7	38,838.00
	Water #9	23,384.00
	Water #10	.00
	Water #11	.00
<u>WALWORTH</u>	Orchard View Light District	1,300.00
	Walworth Consolidated Drainages	24,430.00
	Crystal Creek Drainage	1,000.00
	West Walworth Fire Protection	178,126.00
	Lincoln Fire Protection	164,500.00
	Walworth Light District	5,000.00
	Harvest Hill Light District	7,000.00
	Gananda Light District	10,000.00
	Brookside Light District	100.00
	Gananda Sidewalk District	2,500.00
	Parkview Green Park District	1,000.00
	Daansen Road Ext #5	.00
	Albright/Bushwood/Henness Ext #12	.00
	Kuttruff/Canandaigua Ext. #15	.00
	Mildahn Ext #16	4,470.00
	Countyline Road Ext #17	5,350.00
	Plank Road Ext #18	5,500.00
	Lin/Swa/Co/Jac/Lew/Smi/Arb/Daa	27,835.00
	Arbor/Tummonds	3,872.00
	Walworth Fire District	207,765.14
<u>WILLIAMSON</u>	Williamson Sewer District D	1,940.00
	Williamson Sewer District U	220,112.00
	Williamson Lighting	29,300.00
	E. Williamson Lighting	4,740.00
	Pultneyville Lighting	5,890.00
	E.W. - 104 Lighting	1,938.00
	Rural Fire District	.00
	Williamson Fire District	197,200.00
	E. Williamson Fire District	85,000.00
	Pultneyville Fire District	115,800.00
	Business District	9,500.00
	Drainage District	45,095.00
<u>WOLCOTT</u>	Wolcott Fire District	64,525.00
	Ingersoll Water District	14,000.00
	West Port Bay Water District	2,700.00
	Waters RC Rd Water	26,640.00

Mrs. Bender moved, seconded by Mr. Kelsch, that the first "RESOLVED" clause, for the Town of Marion's portion listed be amended to read as follows:

"MARION

A	General	\$276,332.00
DA	Highway – Townwide	602,475.00
L	Library	<u>113,183.00</u>
		\$991,990.00".

Upon roll call to amend the resolution, all Supervisors voted Aye. Carried.

Mr. Kelsch moved the adoption of the amended resolution. Seconded by Mr. Groat. Upon roll call, adopted.

RESOLUTION NO. 810-10: ADOPTING SPECIAL DISTRICT TAX RATES

Mr. Hammond presented the following:

RESOLVED, that the Wayne County Board of Supervisors hereby adopts the following schedule of Special District Tax Rates and unit charges for 2011.

<u>2011</u>	<u>SPECIAL DISTRICT</u>	<u>RATES</u>	
ARCADIA	ARCADIA RFP	0.768297	
	SOUTHWEST WATER	0.000000	
	SOUTHWEST BNFT #1	0.000000	
	TELLIER RD WATER	0.000000	
	FAIRVILLE WTR #4	269.735683	Units Charge
	FAIRVILLE WTR #5	267.972028	Units Charge
	FAIRVILLE WTR #6	351.612903	Units Charge
	ARCADIA WTR #7	308.062827	Units Charge
	HYDES/SAND #8	361.752212	Units Charge
	ARCADIA WTR #9	295.007407	Units Charge
	ARCADIA WTR #10	312.815789	Units Charge
	ARCADIA WTR #11	504.085526	Units Charge
BUTLER	WESTBURY LT	0.559332	
	SO. BUTLER LT	0.642517	
	BUTLER FIRE	0.707290	
	SO. BUTLER FIRE	2.168353	
GALEN	LOCK BERLIN LIGHT	1.002675	
	GALEN-CLYDE FIRE	0.913677	
HURON	HURON-WOL FIRE 1	0.229993	
	HURON-ALTON FIRE 2	0.601881	
	HURON-N ROSE FIRE	0.583499	
	AQUATIC WEED AW260	1.259520	
	AQUATIC WEED #4	0.000000	
	AQUATIC WEED #5	1.259520	
	AQUATIC WEED #6	1.259520	
	HURON WTR #3	263.273366	Units Charge
	HURON WTR #4	288.710889	Units Charge
	HURON WTR #5	325.998370	Units Charge
	HURON WTR #6	221.267940	Units Charge
LYONS	LYONS FIRE	1.615409	
	GRISTMILL LIGHT	44.117647	
	GRISTMILL WATER	47.619048	

MACEDON		
MAC CTR LT	0.253169	
GANANDA LT	0.196638	
MAC-COMMONS LT	0.154543	
PARKWOOD LT	0.236942	
MAC CTR FIRE	0.678932	
MAC-FARM FIRE	0.447261	
MAC-WAL FIRE 1	1.269050	
CONSOLIDATED WTR	0.000000	
SPEC AMBULANCE	0.000000	
MACEDON DRAINAGE	0.242146	
GANANDA SDWLK 1	0.108904	
MARION		
MARION FIRE	1.022365	
MARION LIGHT	0.243267	
MARION SEWER	0.000000	
SIDEWALKS	0.000000	
MARION WATER	0.000000	Units Charge
WATER NW PHASE 1	398.420000	Units Charge
WATER ARBOR RD	197.842105	Units Charge
WATER WD4, RT. 21	0.000000	Units Charge
WATER NW PHASE 2	422.512821	Units Charge
WATER NE PHASE 1	232.469388	Units Charge
WATER NW PHASE 3	469.166667	Units Charge
MARION DRAINAGE DIST	1.252283	Units Charge
WATER NE PHASE 2	311.850000	Units Charge
ONTARIO		
BID DISTRICT #1	0.465700	
ONTARIO SEWER	0.261784	
SEWER 2	0.262175	
UNION HILL FIRE	0.619858	
ONTARIO FIRE	0.603892	
ONTARIO LIGHT #1	0.146583	
CREEKWOOD LIGHT #2	0.418846	
WATERSHED DIST	2.493576	Units Charge
PALMYRA		
PALMYRA FIRE	0.456875	
EAST PALMYRA FIRE	0.920053	
PORT GIBSON FIRE	0.591485	
WATER EAST PAL #5	0.284583	
CENTRAL WATER	1.886488	
CENTRAL WT EXT 1	1.955931	
CONSOLIDATED WTR	0.306666	
GARNSEY-SHILLING	2.369739	
HYDESVILLE WTR EX 5	364.923077	Units Charge
SOUTHWEST SEWER	128.717949	Units Charge
Palmyra Comm. Library	1.130047	
Johnson-Floodman-Parker	578.463415	Units Charge
ROSE		
NORTH ROSE LIGHT 1	0.468995	
ROSE LIGHT 2	0.594580	
ROSE-N. ROSE WD1	0.411620	
ROSE-N. ROSE WD 2	1.537317	

	ROSE-N. ROSE WD 5	3.349894	
	N. ROSE-HURON FIRE	0.553936	
	ROSE FIRE 2	1.926871	
	ROSE-N. ROSE WD 6	3.288467	
SAVANNAH			
	SAVANNAH LIGHT	0.995103	
	SO. BUTLER LIGHT	1.308083	
	SAV FIRE DIST.	1.601584	
	SO. BUTLER FIRE	2.356905	
	SAVANNAH SEWER 1	167.000000	flat fee
	SAVANNAH SEWER 2	125.000000	flat fee
	SAVANNAH SEWER 3	160.000000	flat fee
SODUS			
	RURAL HYDRANT	0.029260	
	FIRE PROTECTION	0.765131	
	SODUS CENTER FIRE	1.988423	
	WALLINGTON FIRE	1.611640	
	ALTON FIRE	1.477980	
	ALTON LIGHT	0.571284	
	SODUS CTR LIGHT	0.764888	
	WALLINGTON LIGHT	0.608491	
	WATER 1	0.308622	
	WATER 1 EXT 8	2.613463	
	WATER 5 LAKE RD	1.471194	
	WATER 5 EXT 1, LK RD	1.113283	
	WATER 5 EX2,CENT.RD	3.579674	
	WATER 5 EX3,HALCUS	0.000000	
	WATER 6	504.899329	Units Charge
	WATER 7	377.067961	Units Charge
	WATER 8 AIRPORT	0.000000	
	WATER 9	\$384.000000	Units Charge
WALWORTH			
	WAL DRAINAGE	0.047870	
	CRYSTAL CRK DRAIN	0.061201	
	WAL-MAC FIRE DIST	1.278864	
	W WAL FIRE DIST	0.722755	
	LINCOLN FIRE DIST	1.369292	
	WAL LT DIST	0.328839	
	HAR HILL LT	0.861994	
	GANANDA LT	0.067982	
	BROOKSIDE LT DIST	0.030010	
	ORCHARD VIEW LT	0.176240	
	GANANDA SIDEWALK	0.016996	
	PARK VIEW PARK DIST	0.065915	
	BUSHWOOD RD EX 11	0.000000	
	ALBRT/BSHWD/HENNESS	0.000000	
	KUTT/CANAND EXT15	0.000000	
	MILDAHN RD EX 16	1.204934	
	WHITNEY RD	0.000000	
	COUNTY LN RD EX17	0.563454	
	PLANK RD EXT 18	1.188390	
	WALWORTH WTR 1	0.000000	
	CREAM RIDGE WTR 2	0.000000	
	WHITNEY MDWS EX 3	0.000000	

GANANDA WTR 2 EX 4	0.000000	
RT 350 EX 4 WD5	0.000000	
FINLEY RD EXT	0.000000	
DAANSEN RD EXT #5	0.000000	
ROLFORD HGT EX 7	0.000000	
OAKWOOD MDW EX 8	0.000000	
ARBOR RD EXT 20	2.215583	
WALWORTH EXT 19	1.085824	
WILLIAMSON		
DRAINAGE DISTRICT 1	0.250001	
WILLIAMSON LIGHT	0.419435	
E WILLIAMSON LIGHT	0.352824	
PULTNEYVILLE LIGHT	0.290276	
E-WMSON 104-LIGHT	2.476044	
RURAL FIRE	0.000000	
WILLIAMSON FIRE	1.051478	
E WILLIAMSON FIRE	1.114852	
PULTNEYVILLE FIRE	0.867666	
WILLIAMSON SWR DIST	1.000000	Fee
WILLIAMSON SWR USE	100.000000	Units Charge
BUSINESS DIST	3.137354	
WOLCOTT		
WOLCOTT FIRE	0.430997	
SEWER - PHASE 1	0.000000	Units Charge
WATER - INGERSOLL	346.964064	Units Charge
WEST PORT BAY WTR	123.569794	Units Charge
WATERS/RED CREEK WD	369.486824	Units Charge

Mr. Kelsch moved the adoption of the resolution. Seconded by Mr. Manktelow. Upon roll call, adopted.

RESOLUTION NO. 811-10: ALLOCATION OF COUNTY SALES TAX REVENUES TO TOWNS AND VILLAGES

Mr. Hammond presented the following:

WHEREAS, pursuant to the County Sales Tax Resolution, a portion of county sales tax revenues is allowed to the towns and villages within the County and the Towns of Macedon, Marion, Ontario, Walworth and Williamson have submitted in writing, to the County Treasurer, requests to be excluded from this agreement for County Tax purposes. These exclusions will continue in affect until and unless each town individually submits a resolution passed by their respective town board, no later than August 31 of each year to the County Treasurer that requests to be included in this agreement. Therefore regarding the towns of Macedon, Marion, Ontario, Walworth and Williamson, all amounts of the 2011 sales tax which would be so applied to reduce the county taxes levied upon real property in such towns shall be paid directly to such town to be used for any town purpose and shall be shown as zero (\$0) in the table below; distribution of the portion of sales tax attributed to the five towns above shall be otherwise handled in accordance with the County Sales Tax Resolution; and

RESOLVED, that the allocation of sales tax revenues to the remainder towns and villages shall be made in accordance with the following schedule for the year 2011:

\$800,000	POPUL	Rate/Person	Ratio	Total
Villages & Towns	2000	8.531968218	Towns w/Village	AMOUNT

V. NEWARK			0.5991	\$76,103.10

ARCADIA	14,889	\$127,032.47	0.4009	\$50,929.37
V. WOLCOTT			0.1160	\$2,253.48
BUTLER	2,277	\$19,427.29	0.8840	\$17,173.81
V. CLYDE			0.3693	\$13,985.55
GALEN	4,439	\$37,873.41	0.6307	\$23,887.86
HURON	2,117	\$18,062.18	1.0000	\$18,062.18
V. LYONS			0.5798	\$28,843.92
LYONS	5,831	\$49,749.91	0.4202	\$20,905.99
V. MACEDON			0.1265	\$9,378.57
MACEDON	8,688	\$74,125.74	0.8735	\$0.00
MARION	4,974	\$42,438.01	1.0000	\$0.00
ONTARIO	9,778	\$83,425.58	1.0000	\$0.00
V. PALMYRA			0.3747	\$24,525.42
PALMYRA	7,672	\$65,457.26	0.6253	\$40,931.84
ROSE	2,442	\$20,835.07	1.0000	\$20,835.07
SAVANNAH	1,838	\$15,681.76	1.0000	\$15,681.76
V. SODUS			0.1168	\$8,920.00
V. SODUS PT			0.2592	\$19,792.56
SODUS	8,949	\$76,352.58	0.6239	\$47,640.02
WALWORTH	8,402	\$71,685.60	1.0000	\$0.00
WILLIAMSON	6,777	\$57,821.15	1.0000	\$0.00
V. RED CREEK			0.0861	\$3,448.37
V. WOLCOTT			0.1977	\$7,915.33
WOLCOTT	4,692	\$40,031.99	0.7161	\$28,668.29
	93,765	\$800,000.00	15.0000	\$479,882.49
		Rate/Person	Ratio	Total

Mr. Groat moved the adoption of the resolution. Seconded by Mr. Miller. Upon roll call, adopted.

RESOLUTION NO. 812-10: AUTHORIZE THE ADOPTION OF BUDGET AND APPROPRIATION FOR THE CONDUCT OF COUNTY GOVERNMENT FOR 2011

Mr. Hammond presented the following:

WHEREAS, the tentative budget for fiscal year 2011 has been duly filed by the Budget Officer with the Board of Supervisors and a public hearing on the tentative budget has been duly held in the manner provided by law; now, therefore, be it

RESOLVED, pursuant to Section 360 of the County Law, that the tentative budget, as changed, altered and revised by resolution of the Board of Supervisors, is hereby adopted as the budget for the County of Wayne for the fiscal year 2011 and the several amounts specified for the funds and administrative units included in such budget are hereby appropriated for the objects and purposes specified.

Mr. Groat moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, all Supervisors voted Aye. Absent – Supervisor Plant. The Chairman declared the Resolution adopted.

ADJOURNMENT:

The next scheduled meeting of the Board is Tuesday, December 21, 2010 at 9:00 a.m.

Mr. LeRoy moved, seconded by Mr. Colacino that the board adjourn at 7:22 p.m. Carried.

Sandra J. Sloane, Clerk, Wayne County Board of Supervisors

25th Day
Tuesday, December 21, 2010
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 Spickerman, 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 for this last board session of the year.

APPROVAL OF MINUTES:

Mrs. Collier moved, seconded by Mr. Manktelow, to waive the reading of the minutes of the previous meeting and approve them as distributed. Upon roll call, carried.

COMMUNICATIONS:

The Clerk the following:

A copy of the Sheriff's Cash Receipts Report for the month of November 2010 for \$14,797.53.

A letter from NYSAC acknowledging the forwarding of Resolution No. 683-10, Entitled, "Urging New York State to Significantly Cut the Unfunded Mandates that Cause Local Property Tax Increases before Imposing a Cap on Local Property Taxes".

Letters from Sharon Vanliew of North Rose, Richard Muoio from the Town of Galen; and Chuck Tellier, Town of Arcadia, for their opposition with the Board decision to cease collection operations of the Western Finger Lakes Solid Waste Management Authority.

A letter from Jack Bailey, Democratic Elections Commissioner, for his name to be withdrawn for consideration for an additional term.

Notification from NYS Dept of Transportation regarding the official Order of Closure of a state-owned bridge on Canandaigua Road over the Erie Canal within the Town of Macedon.

A letter from the NYS Governor's Traffic Safety Committee, approving the 2011 STOP DWI Plan as submitted.

Information from the Department of the Army Corps of Engineers regarding the Great Lakes Navigation System Review for public view and feedback of the February 2010 Supplemental Reconnaissance Report.

A List of Delinquent 2010 Taxes of Parcels situated in the County of Wayne from the Wayne County Treasurer.

Mr. LeRoy moved, seconded by Mr. Kelsch, that the Communications be received and filed. Upon roll call, carried.

BIDS:

Mr. Lauderdale moved, seconded by Mr. Manktelow, that opened bids for Tree Removal and Stump Grinding for the Wayne County Highway Department be referred to the appropriate committees for review. Upon roll call, carried.

SCHEDULED BUSINESS:

The Chairman introduced and welcomed Ms. Kyra Yon, Goal ChaserZ Director from the Wayne County Action Program, Inc. for Community Based Adolescent Pregnancy Prevention.

Ms. Yon thanked the Board for everyone's support over the last five years, allowing her agency to meet with teens at site locations to assist with pregnancy issues in rural Wayne County, to help lower the pregnancy rates through education and council. This December 31, 2010 marks the end of a five year grant that has been used for youth development, abstinence and comprehensive sex education programs.

PROCLAMATIONS:

On behalf of the Board, Supervisor Bender presented separate proclamations to both the Marion Black Knights Girls' and Boys' Varsity Soccer Teams for their accomplishments in winning State, County and Regional Championship Titles for 2010.

Supervisor Plant presented a proclamation to the Wayne Central School Girls' High School Volleyball Team for becoming Section V Class BB Volleyball Champions.

Supervisor Kelsch presented a proclamation to the Wayne Central School Cross Country Team for the honors of becoming 2010 NYS Public High School and Sectional Champions for 2010.

On behalf of the Wayne County Board, Supervisor Plant along with Sheriff Barry Virts presented a Certificate of Appreciation to Theodore F. Salisbury for his 29 years of dedicated service to the citizens of Wayne County and the Wayne County Sheriff's Office.

Chairman Hoffman introduced and welcomed Mr. Thomas Crowley and the Newark Government class to today's Board Meeting.

Mrs. Collier, Chairperson of the Government Operation Committee, on behalf of the Board, presented Certificates of Appreciation to Jack Bailey and Richard Clark, Election Commissioners of the Wayne County Board of Elections, for their dedicated service to the citizens of Wayne County.

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.

RESOLUTION NO. 813-10: AUTHORIZATION TO CONTRACT WITH PEER PLACE NETWORKS, LLC FOR DATA COLLECTION AND REPORTING SOFTWARE

Mrs. Crane presented the following:

WHEREAS, the Wayne County Department of Aging and Youth is required to collect and report client demographics and services data to the New York State Office for the Aging (NYSOFA); and Peer Place Networks, LLC offers an Internet-based data collection and reporting system that is fully compatible with NYSOFA requirements and requires no local software installation and support; and

WHEREAS, the monthly hosting fees for Peer Place is \$787, for a total annual subscription fee of \$9,439 and the cost of this reporting system is 100% reimbursable through State/Federal grants; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Peer Place Networks, LLC for the annual fee of \$9,439 for period of January 1, 2011 through December 31, 2011.

Mrs. Collier moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, adopted.

RESOLUTION NO. 814-10: AUTHORIZATION TO RENEW 2011 CONTRACT WITH WAYNE COUNTY ARC FOR DEPARTMENT OF AGING AND YOUTH

Mrs. Crane presented the following:

WHEREAS, Wayne County Department of Aging and Youth Contracts with Association for Retarded Citizens (ARC) to provide respite services in the form of a day camp for disabled children in the amount of \$1,000; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Wayne County ARC for their Youth Vacation Day Camp for 2011 in an amount not to exceed \$1,000; and be it further

RESOLVED, that ARC provides all matching funds, and expends total budget (matching funds plus NYS Office of Children and Family Services share) prior to submission of claim to County for Office of Children and Family Services Share for the time period of 01/01/11– 12/31/11.

Mr. Groat moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

RESOLUTION NO. 815-10: AUTHORIZATION TO RENEW 2011 CONTRACT WITH WAYNE COUNTY ACTION PROGRAM-WCAP FOR DEPARTMENT OF AGING AND YOUTH

Mrs. Crane presented the following:

WHEREAS, Wayne County Department of Aging and Youth contracts with Wayne CAP in-home for parent education services for the Family and Communities Together (FACT) Program and Respite Services for FACT and Runaway youth and the program budget for these services is not to exceed \$49,000 from January 1, 2011 through December 31, 2011. Funding for these services are 100% reimbursable from the Bullis Foundation grant; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors to is hereby authorized and directed to execute a contract, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the Wayne County Action Program in the amount of \$49,000. The funding is contingent on OCFS 2011 final funding allocations and the approval of the 2011 County Budget. The contract period is January 1, 2011 through December 31, 2011.

Mr. Kelsch moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, adopted.

RESOLUTION NO. 816-10: AUTHORIZATION FOR 2011 CONTRACT RENEWAL WITH LEGAL ASSISTANCE OF WESTERN NEW YORK, INC. FOR DEPARTMENT OF AGING AND YOUTH

Mrs. Crane presented the following:

WHEREAS, the Department of Aging and Youth contracts with Monroe County Legal Assistance/ Legal Assistance of the Finger Lakes to provide civil legal services for senior citizen as mandated by the Older American Act Program using Title III B funds and the terms and conditions remain the same with the hourly rate to remain at \$60 per hour, not to exceed \$9,000 annual cost; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors to 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 Monroe County Legal Assistance/Legal

Assistance of the Finger Lakes to provide eligible seniors over sixty legal services for the period of January 1, 2011 through December 31, 2011; and

RESOLVED, that the total payments shall not exceed \$9,000; and be it further

RESOLVED, that the terms and conditions of this contract remain the same. The funding is contingent on NYSOFA 2011 final funding allocations and the approval of the 2011 County Budget.

Mr. Groat moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted.

RESOLUTION NO. 817-10: AUTHORIZATION TO DECLARE VEHICLE SURPLUS FOR DEPARTMENT OF SOCIAL SERVICES AND TRANSFER VEHICLE TO BUILDINGS & GROUNDS

Mrs. Crane presented the following:

WHEREAS, the following vehicle is no longer suitable for use by the Department of Social Services due to its age and mileage but it could be used elsewhere:

2004 Ford Crown Victoria – 2FAHP71W04X169491 and Buildings and Grounds is in need of a vehicle for short distance driving between county buildings and pursuant to vehicle disposition procedure adopted by Resolution No. 128-09, the County Administrator is recommending that the above mentioned vehicle be transferred to Buildings and Grounds; now, therefore, be it

RESOLVED, that the vehicle listed above is hereby transferred to the Buildings and Grounds Department as recommended.

Mrs. Bender moved the adoption of the resolution. Seconded by Mr. Manktelow. Upon roll call, adopted.

RESOLUTION NO. 818-10: AUTHORIZATION TO CREATE TEMPORARY POSITION AT SOCIAL SERVICES

Mrs. Crane presented the following:

WHEREAS the Accounting unit is charged with the timely and accurate Application Registrations as well as estate recovery efforts which necessitates close involvement with the Legal and Medicaid Units in order to supply timely information for use in recoveries; and

WHEREAS, the individual in the Account Clerk position in Accounting that performs these duties is presently on medical leave with no expected date of return and this position is required to provide statutorily mandated Benefit Program Registrations; now, therefore, be it

RESOLVED, that a temporary position of Account Clerk is hereby created for a period of three months with a possible extension of 3 months, or until the individual on medical leave returns to work.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

RESOLUTION NO. 819-10: AUTHORIZE AGREEMENT WITH CENTER FOR DISABILITY RIGHTS AND DEPARTMENT OF SOCIAL SERVICES

Mrs. Crane presented the following:

WHEREAS, disabled individuals have the right to direct their own care, if so desired and the Center for Disability Rights provides the oversight of this service in the Wayne County area; now, therefore, be it

RESOLVED, that the Commissioner of the Wayne County Department of Social Services is hereby authorized to sign an Agreement with the Center for Disability Rights, Inc, subject to the approval of the County Attorney, for provision of the Consumer Directed Personal Assistance Program (CDPAP) for the timeframe 1/1/11-12/31/11.

Mr. Hammond moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 820-10: AUTHORIZATION TO AMEND THE SOCIAL SERVICES 2010 BUDGET

Mrs. Crane presented the following:

WHEREAS, the Department of Social Services has experienced a significant increase in client need for Day Care services and this increased demand has resulted in the increase of the resultant Day Care expenditures and these increased expenditures will exceed the originally budgeted amount; and this increase will be fully reimbursed by NY State and will not increase the County cost; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to amend the 2010 budget as follows:

A6055 DAY CARE

\$122,000 to .43655 Repay - Day Care

\$122,000 to .54000 Contractual Expenses

Mr. Hammond moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, adopted.

RESOLUTION NO. 821-10: AUTHORIZATION TO AMEND THE SOCIAL SERVICES 2010 BUDGET

Mrs. Crane presented the following:

WHEREAS, the Department of Social Services has experienced a significant increase in client need for Safety Net services and this increase in clients will result in expenditures beyond those budgeted in the Safety Net account and client need will exceed the originally budgeted amount in the month of December 2010; now, therefore be it

RESOLVED, that the County Treasurer is hereby directed to amend the 2010 budget as follows:

A1990 CONTINGENT FUND GEN

\$25,000 from .54000 Contractual Expenses

A6140 SAFETY NET

\$25,000 to .43640 Safety Net

\$50,000 to .54000 Contractual Expenses

Mrs. Collier moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

RESOLUTION NO. 822-10: AUTHORIZE CONTRACT WITH CATHOLIC CHARITIES OF THE DIOCESE OF ROCHESTER, INC. FOR SUPERVISED VISITATION SERVICES

Mrs. Crane presented the following:

WHEREAS, as part of a DSS Child Welfare case plan there is a need for Supervised Visitation services to families and there is a need for services which are designed to increase opportunities for meaningful interaction between parents and their non-custodial children; and

WHEREAS, there is a need to provide parent training which involves individual coaching, group interaction and other educational approaches which increase parents' knowledge, skills and enhances the security of children and Wayne County has available Flexible Funds for Family Services and CCWC has a lengthy history of providing specialized, quality services to children and families in Wayne County; 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, Inc., d/b/a Catholic Charities of Wayne County for the provision of Supervised Visitation services during 1/1/11 – 12/31/11 timeframe at a cost not to exceed \$50,000; and be it further

RESOLVED, that there are no county monies in the cost of this contract.

Mr. Groat moved the adoption of the resolution. Seconded by Mr. Miller. Upon roll call, adopted.

RESOLUTION NO. 823-10: AUTHORIZE CONTRACT WITH FINGER LAKES ADDICTIONS COUNSELING AND REFERRAL AGENCY, INC. FOR CO-LOCATED ALCOHOL AND OTHER DRUG SERVICES

Mrs. Crane presented the following:

WHEREAS, the Child Welfare caseload often includes families with alcohol and/or other drug problems and there is need to continue AOD services and NYS Office of Children and Family Services is without funds to continue AOD services and Wayne County DSS has available Flexible Funds for Family Services; and

WHEREAS, AOD services are expected to help stabilize families who will then be able to properly care for their children and AOD services will help prevent out of the home placements of children and/or promote the earlier return of children to their families from foster care placement and FLACRA has experience and expertise in these areas; 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 Finger Lakes Addictions Counseling and Referral Agency, Inc. for the provision of Alcohol and Other Drug services during 1/1/11 – 12/31/11 timeframe at a cost not to exceed \$75,848; and be it further

RESOLVED, that there are no county monies included in the cost of this contract.

Mr. Kelsch moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, adopted.

RESOLUTION NO. 824-10: REQUEST FOR PROPOSAL FOR MEDICAID TRANSPORTATION SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES

Mrs. Crane presented the following:

WHEREAS, Wayne County is charged with providing and/or arranging for transportation services to Medicaid clients; and the Commissioner of the Department of Social Services is specifically charged with guaranteeing that these services are provided at the least cost to the Medicaid Program; and

WHEREAS, Wayne County Department of Social Services is interested in engaging the services of a Medicaid Transportation Broker to make needed arrangements for Medicaid clients and the most appropriate vehicle to obtain these services is through a Request for Proposals and the cost for these services will be borne 100% by the New York State Medicaid Program; now, therefore, be it

RESOLVED, that the Commissioner of Social Services is hereby authorized to create and disseminate, subject to the review of the County Attorney, a Request for Proposals for brokering Medicaid Transportation for Medicaid eligible clients.

Mr. Manktelow moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, adopted.

RESOLUTION NO. 825-10: AUTHORIZATION FOR WORKFORCE DEVELOPMENT TO ENTER INTO A CONTRACT WITH LYONS CENTRAL SCHOOL DISTRICT /WAYNE FINGER LAKES BOARD OF COOPERATIVE EDUCATIONAL SERVICES (BOCES)

Mrs. Crane presented the following:

WHEREAS, the WCWFD is desirous of entering into a contract with Lyons Central School District/WFL BOCES Incarcerated Education Program to provide service and the service will provide appropriate youth and adults that are in jail (ages 16 – 24) a full array of job readiness and transitional services necessary for them to move into employment and self sufficiency, for the time period of January 3, 2011 to December 31, 2011; and

WHEREAS, the goal of the service is to lower the recidivism rate for individuals who currently cause a higher cost and greater stress on services in the community and these services will continue at the WCWFD office to those individuals who leave incarceration;

now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a contract for the period January 3, 2011 to December 31, 2011 in the amount of \$7,500, subject to the County Attorney's approval, with Lyons Central School District /WFL BOCES Incarcerated Educational Program for the provision of services by the Wayne County Workforce Development Department.

Mrs. Collier moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, adopted.

RESOLUTION NO. 826-10: AUTHORIZATION TO REFUND NEW YORK STATE FOR OVERPAYMENTS TO THE MENTAL HEALTH DEPARTMENT

Ms. Park presented the following:

WHEREAS, the Mental Health Department in the course of its regular daily business engages in a variety of medical procedures, which are billed to the client's insurance company for reimbursement to the department/county and New York State provides the department/county with an enhanced revenue add-on rate (COPS & CSP) for certain individuals, however there is a limitation as to the total dollar amount that can be earned in any given year; and

WHEREAS, once the department exceeds that annual dollar amount threshold, any payment overage as a result of the States continued payment despite the threshold limit being reached, must be refunded to New York State upon receipt of notice of their multi-year fiscal closeout audit process and the departments excess revenues over the past several years have been retained in the county's general fund with the knowledge that some portion of these excess revenues would need to be refunded at some point to New York State; and

WHEREAS the department concurs with the States findings; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is hereby authorized to transfer \$440,713.27 from the Fund Balance of the General Fund to:

A4300 Behavioral Health .54618 Reimb Prior Yr Revenues-MH

and be it further

RESOLVED, that the Director of Mental Health is authorized to initiate the repayment of \$440,713.27 to New York State and that the Wayne County Treasurer is authorized to make this payment prior to the next monthly audit in order to meet required deadlines established by the state.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 827-10: AUTHORIZATION TO SET SALARY FOR STAFF PSYCHIATRIST POSITION FOR DEPARTMENT OF MENTAL HEALTH

Ms. Park presented the following:

WHEREAS, an individual who currently holds the position of Staff Psychiatrist, a confidential-management position, will be retiring in early February in the Wayne County Department of Mental Health and the County Administrator and Mental Health Director anticipate authorizing the advertising and refilling of the position effective February 3, 2011; and

WHEREAS, no formal classification or salary schedule exists for management and confidential employees and the County anticipates developing such a schedule in the future and the County Administrator does not have the authority to set salaries without a Board of Supervisors approved salary schedule and the Director and County Administrator has recommended a starting salary for this position consistent with the 2010 approved budget and the 2011 proposed budget; and

WHEREAS, the department need and ability to recruit for and fill the position is essential at this time in order to make a timely transition; now, therefore, be it

RESOLVED, that the salary for the impending vacant Staff Psychiatrist position is

hereby established up to \$179,900 per year.

Mrs. Collier moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

RESOLUTION NO. 828-10: AUTHORIZATION FOR MENTAL HEALTH DEPARTMENT TO ESTABLISH NEW PHYSICIAN POSITION

Ms. Park presented the following:

WHEREAS, the Mental Health Department in the course of its regular daily business relies on the services and expertise of a variety of professional licensed individuals to provide treatment to the patients receiving treatment in the various programs at Wayne Behavioral Health Network and in August 2010 the Board authorized the creation of a variety of new positions for the Mental Health Department via Resolution 543-10 in response to IRS regulatory issues; and

WHEREAS, one such position included a confidential and management position of a Physician Part time at an hourly rate of \$110/hour and in order to better meet program needs and maintain adequate staff coverage and program flexibility and will maximize revenues, the department would like to utilize this same position and split it with two individuals for the same number of total authorized hours; and

WHEREAS, this function remains essential to the operations of the department and will not result in any additional costs and will operate within the existing budget allowances; now, therefore, be it

RESOLVED, that the Mental Health Department is authorized to add one additional Physician-Part time, Management & Confidential Position at the rate of \$110 per hour.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

RESOLUTION NO. 829-10: AUTHORIZATION TO AMEND THE 2010 BUDGET FOR THE MENTAL HEALTH DEPARTMENT COMMUNITY PROVIDERS

Ms. Park presented the following:

WHEREAS, based upon revisions to the State Aid funding awards from prior years being paid out in 2010 for various community mental hygiene service providers, the Mental Health Department is in need of amending the 2010 budget to reflect those funding revisions which involve the following providers, and do not have any impact on county related costs:

A43224 Community Providers

54604	FLACRA	from \$1,176,890 to \$1,211,891
54609	Wayne ARC - MH	from \$12,491 to \$17,440
54631	Epilepsy Association	rom \$3,069 to \$4,527
54690	Council on Alcoholism FL	from \$185,960 to \$214,010

now, therefore be it

RESOLVED, that the Chairman of the Board is authorized as necessary to amend the county contracts with the above noted providers subject to the County Attorneys review as to form and content; and be it further

RESOLVED, that the County Treasurer is directed to amend the 2010 County Budget as follows:

A4322-COMMUNITY PROVIDERS:

\$	4,949.00 to .43478	ARC-MH
\$	1,458.00 to .43488	Epilepsy Assoc.
\$	35,001.00 to .43499	FLACRA
\$	28,050.00 to .43522	Council on ALC
\$	4,949.00 to .54609	ARC-MH
\$	35,001.00 to .54604	FLACRA
\$	1,458.00 to .54631	Epilepsy Assoc.
\$	28,050.00 to .54690	Council on ALC

Mrs. Collier moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

RESOLUTION NO. 830-10: AUTHORIZATION FOR MENTAL HEALTH DEPARTMENT TO ABOLISH AN ADDICTION THERAPIST POSITION AND CREATE A STAFF SOCIAL WORKER POSITION

Ms. Park presented the following:

WHEREAS, the Mental Health Department currently has a vacant Addictions therapist position which we have been unable to adequately recruit for and fill and due to recent changes in program needs combined with changing recruitment opportunities, the Director of Mental Health would now like to abolish a previously authorized Addictions Therapist position and now create a Staff Social Worker position, and by doing so this will expand the potential pool of qualified applicants which will better facilitate the recruitment process to fill this vacancy and ultimately better meet program needs; now, therefore, be it

RESOLVED, that the Mental Health Department is hereby authorized to abolish one Addiction Therapist position and to create one Staff Social Worker position.

Ms. Park moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

RESOLUTION NO. 831-10: AUTHORIZING DAILY RATE INCREASE AT THE WAYNE COUNTY NURSING HOME EFFECTIVE FEBRUARY 1, 2011

Ms. Park presented the following:

WHEREAS, due to increase in overhead expenses, the Wayne County Nursing Home must increase the room rates; now, therefore, be it

RESOLVED, that the Administrator of the Wayne County Nursing Home is hereby authorized to increase the daily rate effective February 1, 2011 (inclusive of cash receipts assessment tax):

Semi-Private Room from \$300 to \$310
Private Room from 310 to \$320

Mr. Manktelow moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

RESOLUTION NO. 832-10: AUTHORIZATION TO PAY OUT OF TITLE COMPENSATION FOR CHERYL ACOME AS ACTING DIRECTOR OF NURSING

Ms. Park presented the following:

WHEREAS, the former Director of Nursing of the Wayne County Nursing Home resigned the position effective November 26, 2010 and Cheryl Acome has been assigned the duties and responsibilities of the Director of Nursing and the responsibilities and the corresponding salary for the Director of Nursing are far greater than that of Assistant Director of Nursing; now, therefore, be it

RESOLVED, Cheryl Acome will receive an out of title compensation effective November 29, 2010 while she will serving as acting Director of Nursing at the Wayne County Nursing Home at a rate based on annual salary of \$65,000 until the position of Director of Nursing is filled.

Mr. Kelsch 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. 833-10: AUTHORIZATION TO CREATE TEMPORARY LICENSED PRACTICAL NURSE POSITION

Ms. Park presented the following:

WHEREAS, there are currently 4 full time LPNs out on disability and off the payroll and these absences create a staffing problem and overtime is required to ensure adequate staffing; now, be it further

RESOLVED, that the Wayne County Nursing Home can create and fill one (1)

temporary LPN position to meet the staffing needs.

Mr. Kelsch moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

RESOLUTION NO. 834-10: AUTHORIZATION TO WRITE OFF UN-COLLECTABLE ACCOUNTS FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the Wayne County Nursing Home has an allowance for Uncollectible Accounts and after thorough review and collection efforts there is a remaining balance on 26 accounts for the year end 2009 and the Wayne County Nursing Home has determined that the twenty-six (26) accounts with remaining balances are uncollectible from any payer source; now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes the Wayne County Nursing Home to write off said twenty-six (26) accounts totaling \$310,462.

Mrs. Collier moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

RESOLUTION NO. 835-10: AUTHORIZATION FOR WAYNE COUNTY NURSING HOME TO CONTRACT WITH WORLD WIDE DICTATION

Ms. Park presented the following:

WHEREAS, the Wayne County Nursing Home produces a lot of dictation from medical professionals and then transcribed and the dictation volume is anticipated to increase in the next few months exceeding our current resource capacity to produce the transcribed reports required in a timely manner; and

WHEREAS, contracting with this service will be the most cost effective strategy to address the increase in work volume; now, therefore, be it

RESOLVED, that the Wayne County Nursing Home and Chairman of the Board of Supervisors is authorized to contract with World Wide Dictation from January 1, 2011 to December 31, 2011 at a rate of .07 cents per line.

Mr. Kelsch moved the adoption of the resolution. Seconded by Mr. Miller. Upon roll call, adopted.

RESOLUTION NO. 836-10: AUTHORIZING CONTRACT FOR PHARMACIST CONSULTING SERVICES WITH HEALTH DIRECT PHARMACY SERVICES

Ms. Park presented the following:

WHEREAS, the Wayne County Nursing Home contracts pharmacist consulting services for its residents and the contract for pharmacist consulting services with Health Direct expires on December 31, 2010 and the Board of Supervisors have duly advertised for quotes for pharmacist consulting services for the Wayne County Nursing Home and the one quote received for the Consulting Services was from Health Direct Pharmacy Services as follows:

For the year:	1/1/11 – 12/31/12	\$55/hr	Maximum per month	\$1200.00
	1/1/13 – 12/31/13	\$58/hr	Maximum per month	\$1230.00
	1/1/14 – 12/31/14	\$61/hr	Maximum per month	\$1300.00
	1/1/15 – 12/31/15	\$63/hr	Maximum per month	\$1340.00

WHEREAS, upon review of the quote by the County Attorney and Nursing Home and County Administration it is recommended that the quote for the pharmacist consulting services be awarded to Health Direct; now, therefore, be it

RESOLVED, that the contract for pharmacist consulting services be awarded to Health Direct Pharmacy Services pursuant to the quote submission and that the Chairman of the Board of Supervisors is authorized to execute a contract on behalf of the Wayne County Nursing Home, with Health Direct Pharmacy Services for the provision of pharmacist consulting services for the period beginning January 1, 2011 through December 31, 2015. Contract is subject to the County Attorney's approval as to form and content.

Mrs. Bender moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 837-10: AUTHORIZE AGREEMENT WITH MEDLINE AND NHQ ABAQIS QUALITY ASSURANCE PROGRAM

Ms. Park presented the following:

WHEREAS, Medline is a supplier of medical-surgical, durable medical, textile, wound care and other medical supply products for long-term care residents and the Wayne County Nursing Home intends to enter into a corporate program relationship with Medline, including the license of the Nursing Home Quality (NHQ) Abaqis quality assurance program; now therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute the agreement effective January 1, 2011 to renew automatically for successive one year periods until terminated by the county and the Wayne County Nursing Home will be entitled to license Abaqis and receive Abaqis products and services based on the following terms and conditions:

Abaqis monthly subscription – standard invoicing at \$210 /month

Complete set-up package (stage 1 set-up and 1-Day Basic, plus 2-Day Practicum at cost of \$4,750

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 838-10: AUTHORIZATION TO AMEND RES. NO. 257-09 AUTHORIZING CONTRACTS WITH PROVIDERS OF RELATED SERVICES FOR PRESCHOOL CHILDREN WITH HANDICAPPING CONDITIONS

Ms. Park presented the following:

WHEREAS, Resolution 257-09 authorized contracts with providers of related services for preschool children with handicapping conditions for the period of 7/1/09 to 6/30/11 and the County must contract for the provisions of related services for preschool-age children with handicapping conditions; and

WHEREAS, the Sign Language Connection, Inc has received New York State Department of Health approval to provide preschool related services for sign language instruction at \$53 / hour starting December 1, 2010 to June 30, 2011; now, therefore, be it

RESOLVED, Resolution No. 257-09 is hereby amended to authorize the Chairman of the Board of Supervisors to contract with the Sign Language Connection, Inc, 3136 Winton Road South, Suite 304, Rochester, NY 14623, as a Related Service provider for the Children with Handicapping Conditions, to provide sign language instruction at a rate of \$53 / hour, starting December 1, 2010 to June 30, 2011, with the approval of the County Attorney as to form and content.

Mr. LeRoy moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, adopted.

RESOLUTION NO. 839-10: AUTHORIZATION TO SIGN AGREEMENT WITH NTS DATA SERVICES FOR MAINTENANCE AND SUPPORT SERVICES FOR BOARD OF ELECTIONS

Mrs. Collier presented the following:

WHEREAS, the Board of Elections requires data services to perform it's required functions under election law and has previously contracted with NTS to supply these services and the current five year contract expires at the end of 2010 and a new contract is required; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute the agreement, subject to the County Attorney's approval to form and content, for a new five year contract for the period January 1, 2011 to December 31, 2010 for a total cost of \$101,544.00, with a payment of \$20,308.80 per year for five years.

Mrs. Bender moved the adoption of the resolution. Seconded by Mr. LeRoy. Upon roll call, adopted.

RESOLUTION NO. 840-10: AUTHORIZATION FOR THE WAYNE COUNTY BOARD OF SUPERVISORS TO MAKE ONE-TIME PAYMENT TO BOARD OF ELECTIONS DEPUTIES FOR LEAVE TIME AND TO AMEND BUDGET

Mrs. Collier presented the following:

WHEREAS, the Wayne County Board of Elections has been under a strict timeline to implement the new optical scan Voting system for the county in 2010 and the Deputy Commissioners have had to expend many additional hours in 2010 for preparing inspector schooling, ballot configuration, inspector assignments, etc., in addition to their normal duties; and

WHEREAS, the General Election of 2010 resulted in increased hours due to court orders requiring special counting, recording and reporting of the 25th Congressional race and the Deputies continued to accrue leave time which could not be utilized due to these extra ordinary demands and circumstances; and

WHEREAS, the Board of Elections other staff is composed of only 2 full-time clerks and 2 part-time Commissioners and the utilization of leave time on the part of the Deputies would have severely impacted the performance and operation of the Board of Elections at a critical time and the Deputy Commissioners cannot utilize such extra leave time between now and the end of the year, December 31, 2010 due to certification of the election and end of the year reports required to be filed and

WHEREAS, sufficient funds exist within the Board of Elections 2010 budget to make these payments and to absorb the recent payment of overtime required due to the extended work hours necessary associated with the General Election; now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes to grant a one-time exception in this situation to authorize the payment for that leave time that Deputy Commissioners: Joyce Krebbeks (79 hours - \$1,757.41) and Kelley Borrelli (46 hours -\$1,023.30) would normally not be able to carry over above the normal 210 hours to next year, 2011; and be it further

RESOLVED, that the County Treasurer is hereby authorized to amend the 2010 Wayne County Budget as follows:

A1450 Board of Elections

\$7,000 from .51665 Voting Machine Tech
\$5,200 to .51068 Deputy Election Commissioner
\$450 to .58200 Payments to Social Security
\$700 to .58100 Payments to NYS Retirement
\$650 to .51128 Election Clerk

Mr. Kelsch moved the adoption of the resolution. Seconded by Mr. Lauderdale. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

RESOLUTION NO. 841-10: AUTHORIZATION TO PURCHASE EQUIPMENT FOR THE WAYNE COUNTY ATTORNEY'S OFFICE

Mrs. Collier presented the following:

WHEREAS, the chair used by Assistant County Attorney, Daniel Connors has broken and its effectively irreparable and there are funds within the current budget total sufficient to fund this purchase; now, therefore, be it

RESOLVED, that the County Attorney's Office may purchase a new chair pursuant to state bid # PC63361 from Caitlin Office Interiors & Design Inc. in an amount not to exceed \$316.00; and be it further

RESOLVED, that the County Treasurer is directed to amend the 2010 County Budget as follows:

A1420-County Attorney:

\$316.00 from .54485 Travel

\$316.00 into .52200 Office Equipment

Mrs. Bender moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 842-10: ADOPTING 2011 SALARY SCHEDULE FOR ELECTED OFFICIALS BEGINNING TERM ON JANUARY 1, 2011

Mrs. Collier presented the following:

WHEREAS, the Government Operations Committee has recommended 2011 Salaries for County Officers and Department Heads and certain elected officials will be beginning a new term of office on January 1, 2011 and it is necessary to set their salaries prior to them taking office; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby adopts the following schedule for certain elected county officers for the year 2011 effective January 1, 2011:

<u>Title</u>	<u>2011</u>
County Treasurer	\$70,305

Mr. Spickerman moved the adoption of the resolution. Seconded by Mr. Lauderdale. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

RESOLUTION NO. 843-10: ADOPTING 2011 SALARY SCHEDULE FOR ELECTED AND APPOINTED OFFICIALS BEGINNING TERM ON JANUARY 1, 2011

Mrs. Collier presented the following:

WHEREAS, the Government Operations Committee has recommended 2011 Salaries for County Officers and Department Heads and certain elected and appointed officials will be beginning a new term of office on January 1, 2011 and it is necessary to set their salaries prior to them taking office; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby adopts the following schedule for certain elected and appointed county officers for the year 2011 effective January 1, 2011:

<u>Title</u>	<u>2011</u>
Elections Commissioner	\$11,075
Elections Commissioner	\$11,075

Mr. Kelsch moved the adoption of the resolution. Seconded by Mr. Lauderdale. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

At this time, Chairman Hoffman took the opportunity to acknowledge two senior members of the Board for recently celebrating their birthdays – Supervisors Lucinda Collier and Robert Kelsch.

RESOLUTION NO. 844-10: AUTHORIZING ADMINISTRATIVE AGREEMENT WITH WESTERN FINGER LAKES SOLID WASTE MANAGEMENT AUTHORITY

Mr. Spickerman presented the following:

WHEREAS, the Western Finger Lakes Solid Waste Management Authority developed a contract for administrative services provided by the Director of Planning, with Wayne County, which will expire on December 31, 2010; now, therefore, be it

RESOLVED, that the Chairman of the Board be authorized to execute an agreement, subject to approval of the County Attorney as to form and content, for the period 1/1/11 - 12/31/11 under the same terms and conditions contained in the current contract.

Mr. Hammond moved the adoption of the resolution. Seconded by Mr. Miller. Upon roll call, adopted.

RESOLUTION NO. 845-10: REAPPOINTMENT TO THE WESTERN FINGER LAKES SOLID WASTE MANAGEMENT AUTHORITY

Mr. Spickerman presented the following:

RESOLVED that the following person is reappointed to the Western Finger Lakes Solid Waste Management Authority for a term of office effective January 1, 2011 and expiring December 31, 2013:

Ron Cody
6166 Lillypond Way
Ontario, New York 14519

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, adopted.

RESOLUTION NO. 846-10: AUTHORIZE ANNUAL PAYMENT TO WESTERN FINGER LAKES SOLID WASTE AUTHORITY

Mr. Spickerman presented the following:

WHEREAS, the County of Wayne has appropriated the sum of \$555,500 as its share of the 2011 operating funds of the Western Finger Lakes Solid Waste Management Authority; now, therefore, be it

RESOLVED, that the payments shall be made in bi-monthly installments of \$89,916 each and the first payment shall be made in January of 2011; and be it further

RESOLVED, that funds will be used to support the following ongoing operations:

Curbside Recycling Collection Program	\$8,538
Materials Recovery Center	\$274,183
General Administration	\$256,779

and be it further

RESOLVED, that the annual cost of the recycling Public Education program is \$56,955 and that amount is included within the General Administration operational budget above and that the Authority will also provide the following specific program for the residents of Wayne County and the Authority will request payment for this program as expenses are incurred:

Household Hazardous Waste Cleanup Day \$16,000.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

RESOLUTION NO. 847-10: SUPPORT SENECA COUNTY'S APPLICATION TO THE COMMUNITY DEVELOPMENT BLOCK GRANT INNOVATIVE PROJECTS PROGRAM FOR ON-THE-JOB TRAINING FUNDS, AND ADVERTISE FOR PUBLIC HEARINGS

Mr. Spickerman presented the following:

WHEREAS, Seneca County intends to apply to the New York State Homes and Community Renewal (NYS HCR) Community Development Block Grant Innovative Projects Program for on-the-Job Training funds on behalf of Ontario, Seneca, Wayne, and Yates Counties; now, therefore, be it

RESOLVED, the Wayne County Board of Supervisors supports Seneca County's application; and be it further

RESOLVED, the Wayne County Board of Supervisors supports Seneca County as the Lead Agency for the application's environmental review under New York State Conservation Law Part 617, article 8; and be it further

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes advertisement in the official Wayne County newspapers of the two required Public Hearings to be held on Tuesday, February 22, 2011 at 8:00 P.M. and on Tuesday, March 8, 2011 at 8 P.M., both hearings to be held at the Board of Supervisors Conference Room at the Seneca County Office Building at One DiPronio Drive, Waterloo, New York; and be it further

RESOLVED, that the Clerk of the Board is hereby authorized and directed to advertise for said public hearing.

Mrs. Bender moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, adopted.

Chairman Hoffman along with Public Safety Committee Chairman, Robert Plant, addressed the full board for this opportunity to acknowledge Ronald C. Valentine, Wayne County Public Defender for his 41 years of dedicated service to the citizens of Wayne County.

Former Board Chairmen, Marvin E. Decker and Donald G. Colvin, joined the Board in congratulating Mr. Valentine on his upcoming retirement.

Chairman Hoffman requested the Board to take a short recess at 10:05 a.m.

The Board resumed regular session at 10:25 a.m.

Supervisor Bender left the Board Meeting at 10:25 a.m.

RESOLUTION NO. 848-10: AUTHORIZATION TO CONTRACT WITH M/E ENGINEERING, P.C.

Mr. LeRoy presented the following:

WHEREAS, The boiler room in the County Courthouse has been cited by NYS Codes as being altered and not in compliance with original design specifications; and the County has determined that at this time it is not cost effective to replace the boiler that was damaged during a power outage, and return the boiler room to the original design; and

WHEREAS, M/E Engineering, PC has provided a proposal for the purposes of reviewing the boiler room in it's current condition and prepare a set of plans and specifications to submit to the NYS Codes Division to bring it up to the current code standards; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an agreement with M/E Engineering, PC for the services described in the amount of \$4,400.00 subject to the approval of the County Attorney as to form and content.

Mr. Colacino moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted.

RESOLUTION NO. 849-10: AUTHORIZATION TO RENEW PARKING LOT LEASE AGREEMENT WITH NYSEG

Mr. LeRoy presented the following:

WHEREAS, as the lease with NYSEG for parking in their lot located between Williams Street and Geneva Street expires on December 31st, 2010 and the fee for said lease has remained at \$3,500.00; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the lease agreement for parking as provided by NYSEG subject to review and approval of the County Attorney; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds is authorized to pay said bill in January from the 2011 Budget line item A16154.54437.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, adopted.

RESOLUTION NO. 850-10: AUTHORIZATION TO DECLARE OFFICE EQUIPMENT SURPLUS FOR THE WAYNE COUNTY HIGHWAY DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, the Wayne County Highway Department has (2) monitors and (2) computers no longer needed and (1) typewriter, which correction tape and ribbon are no longer available and the Wayne County Highway Superintendent wishes to declare the following equipment surplus:

Envision Monitor - SN 14542JA013767

IBM Monitor – SN 231223A

Dell GX150 – SN 00019-053-452-082
Dell GX240 – SN 00019-095-553-319
IBM Electric Typewriter – SN 3684888
now, therefore be it

RESOLVED, that the Wayne County Highway Superintendent is hereby authorized to declare this equipment surplus; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to dispose the equipment in accordance with county policy and procedure.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

RESOLUTION NO. 851-10: AUTHORIZATION TO ACCEPT LOW BID FOR STUMP GRINDING FOR THE WAYNE COUNTY HIGHWAY DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for stump grinding for the Highway Department and the bids were open on Monday, December 6, 2010 at 1:00 p.m. and the following bids were received:

- Empire Tree Surgeons \$ 8,800.00
- Crane's Tree Service \$ 9,620.00
- Aaron Preston Tree Service \$ 9,040.32

RESOLVED, that the bid submitted by Empire Tree Surgeons of Newark, New York in the amount of \$8,800.00 in accordance with specifications, is hereby accepted; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Empire Tree Surgeons in accordance with the bid acceptance.

Mr. Groat moved the adoption of the resolution. Seconded by Mr. Manktelow. Upon roll call, all Supervisors voted Aye, except Supervisor Crane who Abstained from voting. Absent – Supervisor Bender. The Chairman declared the Resolution adopted.

RESOLUTION NO. 852-10: AUTHORIZATION TO ACCEPT LOW BID(S) FOR TREE REMOVAL FOR THE WAYNE COUNTY HIGHWAY DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bid(s) for tree removal for the Highway Department, and the bids were opened Monday, December 6, 2010 at 1:00 p.m. and the following bids were received:

- Empire Tree Surgeons \$ 14,400
- Crane's Tree Service \$ 10,450
- Aaron Preston Tree Service \$ 63,640

RESOLVED, that the bid submitted by Crane Tree Service of Wolcott, New York in the amount of \$10,450 in accordance with the specifications that include the county crew to assist in providing clean-up and hauling service, is hereby accepted; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Crane Tree Service in accordance with the bid acceptance.

Mr. Spickerman moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, all Supervisors voted Aye, except Supervisor Crane who Abstained from voting. Absent – Supervisor Bender. The Chairman declared the Resolution adopted.

RESOLUTION NO. 853-10: AUTHORIZATION TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH FISHER ASSOCIATES FOR THE CREAGER ISLAND BRIDGE

PROJECT

Mr. LeRoy presented the following:

WHEREAS, the Creager Island Bridge project is funded with 100% Federal money and the project is now entering the construction phase which will require full time construction inspection services to document the contractors work and the NYSDOT has approved this work as an eligible expense to be included in the project and the project budget currently has enough funds to include the additional cost of \$75,358 for the construction inspection services, now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a supplemental agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Fisher Associates Engineers for the costs associated with the additional right-of-way services and the construction inspection tasks for the Creager Island Bridge Project.

Mr. Colacino moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, adopted.

RESOLUTION NO. 854-10: AUTHORIZATION TO ENTER AGREEMENT WITH MOHAWK VALLEY COMMUNITY COLLEGE FOR WELDING TRAINING

Mr. LeRoy presented the following:

WHEREAS, the Wayne County Highway Department performs welding tasks in the maintenance shop and on county owned bridges and most of the employees performing welding tasks at the Highway Department have no formal training and none are certified; and

WHEREAS, the NYSDOT requires that any person making welding repairs to State owned bridges or Federally Funded locally owned bridges be certified and Mohawk Valley Community College can provide in our shop a one week (40 hrs.) training session for \$4,340 for 6 students 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 Mohawk Valley Community College for welding training for the Wayne County Highway Department not to exceed a cost of \$4,340.00 and paid from Account DM51304.54483.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Miller. Upon roll call, adopted.

RESOLUTION NO. 855-10: AUTHORIZATION TO TRANSFER FUNDS AND CLOSE COMPLETED 2010 PROJECTS FOR THE HIGHWAY DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, various Highway projects have been completed in 2010 and final payments processed and balances in budgeted projects may be reallocated to other project; now, therefore, be it

RESOLVED, that the County Treasure is hereby authorized and directed to transfer funds as listed below:

D5112-ROAD CONSTRUCTION:

\$25,121.75 from .52628 Ridge Rd Shoulder Project
\$17,563.84 from .52633 Minstead Rd Project
\$94,755.99 from .52632 Knickerbocker Rd. Project
\$56,241.12 to .52630 Erie St. Culvert Project
\$29,094.34 to .52631 Misc Drainage Culvert Project
\$40,924.43 to .52634 Misc Nova CHIP Paving Project
\$11,181.69 to .52636 Smith Rd Culvert Project; and be it further

RESOLVED that the following highway construction projects within Account D51122 Road Construction having a zero balances are hereby closed:

D5112-ROAD CONSTRUCTION:

.52628 Ridge Road Shoulder Project
.52633 Minstead Road Project
.52630 Erie St. Culvert Project
.52631 Misc. Drainage Culvert Project
.52634 Misc. Nova CHIP Paving Project
.52636 Smith Rd. Culvert Project

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Manktelow. Upon roll call, adopted.

RESOLUTION NO. 856-10: AUTHORIZATION TO ADVERTISE FOR BID FOR THE ALDERMAN ROAD BRIDGE REPLACEMENT PROJECT

Mr. LeRoy presented the following:

WHEREAS, the design and right-of-way acquisition on the Alderman Road Bridge Project (D51122.52905), has been completed and submitted to the NYSDOT for funding authorization and the project must be advertised for competitive bid in accordance with Federal regulations; now, therefore, be it

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to advertise for bid for the 80% Federal, 15% State, and 5% locally funded project, in accordance with specifications prepared by the design consultant and approved by the NYSDOT and the Highway Superintendent and subject to the County Attorney's approval as to form and content; and be it further

RESOLVED, that the Clerk of the Board is hereby designated and directed to publicly open the bid(s) at the time and place specified in the bid documents and to present a record of the bid(s) at the next meeting of the Board of Supervisors following the bid opening.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 857-10: TRANSFER OF FUNDS FOR THE HIGHWAY DEPARTMENT FOR ADMINISTRATION ACCOUNT

Mr. LeRoy presented the following:

WHEREAS, the Administration account in the Highway Department will expend more than the budgeted funds due to sick time buyout, insurance incentive and overtime costs; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to transfer the following funds:

D5010-HIGHWAY ADMINISTRATION:

\$2,597.00 from .58400 Hospitalization
\$1,084.00 to .51095 Superintendent of Highways
\$30.00 to .51151 Acct. Clerk-Typist
\$1,483.00 to .51904 Overtime

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 858-10: AUTHORIZATION TO AMEND AGREEMENT WITH WATS AND RGRTA

Mr. LeRoy presented the following:

WHEREAS, Wayne County Central Garage performs maintenance and repair work on the Wayne Area Transportation Service/Rochester-Genesee Regional Transportation Authority vehicles and charges a set hourly rate for this work and WATS/RGRTA has requested that some amendments be made to the current contract in regards to having all repairs reviewed by another County representative; now, therefore, be it

RESOLVED, that the Wayne County Attorney and is authorized to review and amend the current agreement with WATS/RGRTA; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute the amended agreement with WATS/RGRTA.

Mr. Hammond moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

RESOLUTION NO. 859-10: AUTHORIZATION TO RENEW CONTRACT BETWEEN COUNTY AND MICHAEL SHEEHE, COORDINATOR OF EDUCATION

Mr. Plant presented the following:

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Michael Sheehe (Palmyra, NY) for the provision of alcohol, drug and highway safety oriented educational programs in Wayne County for the period of 1/01/11-12/31/11 and be it further

RESOLVED, that Michael Sheehe shall receive a fee for services in the amount of \$13,650 payable in equal monthly installments of \$1,365 each for the months of January, February, March, April, May, June, September, October, November, and December plus the following expenses:

Administrative Expenses including mileage (at a rate set by the Board of Supervisors), clerical, telephone, postage, copying and other expenses approved by the STOP DWI Coordinator; provided, however, that in no event shall the total amount of such expenses reimbursed by the County during the period of the agreement exceed the sum of \$1,000.

Presentation Expenses including fees paid to third-party presenters and other persons assisting in the presentation of programs, equipment, clerical and other expenses approved by the STOP-DWI Coordinator; provided, however, that in no event shall the total amount of such expenses reimbursed by the County during the term of the agreement exceed the sum of \$8,600.00; and be it further

RESOLVED, that the Professional Liability Insurance coverage required by Wayne County's minimum insurance standards is hereby waived for the duration of this contract with Michael Sheehe for the provision of alcohol, drug and highway safety oriented educational programs in Wayne County.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, adopted.

RESOLUTION NO. 860-10: AUTHORIZATION TO RENEW CONTRACT WITH FLACRA FOR 2011 FOR WAYNE COUNTY STOP DWI

Mr. Plant presented the following:

RESOLVED, that the contract between Wayne County STOP DWI and Finger Lakes Addictions Counseling and Referral Agency, Inc. for a Relapse Prevention Program for inmates at the Wayne County Jail shall be renewed for the period of 1/1/11-12/31/11 in the amount of \$15,000.

Mr. LeRoy moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, adopted.

RESOLUTION NO. 861-10: AUTHORIZATION FOR COMMUNICATIONS TOWER IMPROVEMENTS, GENERATOR PURCHASE, AND LEASE AGREEMENT EXECUTION

Mr. Plant presented the following:

WHEREAS, Wayne County 911 has identified a communications tower in the Village of Sodus, located on property owned by the Village of Sodus and leased to the Saint Lawrence Seaway Authority, which could be utilized by the County as a receive site for the County public safety radio system upgrade project; and

WHEREAS, the Fred Nudd Corporation has completed a structural analysis of the tower, has found it to not meet the current applicable tower design standard, ANSI/TIA 222-G, and has further developed a proprietary engineering design to reinforce the existing

communications tower to allow for installation of the County's equipment, and to meet the above referenced design standard for the tower, at an upgrade cost of \$28,553; and

WHEREAS, the two other prevalent communications tower construction companies in the area have declined to provide pricing on the specialized upgrade unless the County were to provide design plans, with generation of such plans not funded and the Saint Lawrence Seaway Authority has expressed an interest into entering into a lease agreement with the County, at no recurring cost to the County, provided that structural upgrades are made to the tower, and a back-up power generator is purchased at County expense; and

WHEREAS, New York State purchasing contract pricing received for the purchase of a 10KW generator, and automatic transfer switch from Generac is \$2697.00; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute a lease agreement with the Saint Lawrence Seaway Authority for use of both the communications tower and the adjacent shelter, for an initial lease term of not less than five (5) years, with not less than one renewal term of five years thereafter, at a monthly rent of zero dollars (\$0), with such lease agreement subject to the approval of the County Attorney as to form and content; and be it further

RESOLVED, that the above referenced communications tower proprietary structural upgrades by the Fred Nudd Corporation shall be authorized, at a cost not to exceed \$28,553; and be it further

RESOLVED, that the purchase of the above referenced propane powered generator and transfer switch shall be authorized, as per New York State purchasing contract, at a cost not to exceed \$2697.00, through New York SitePower Corporation, with said generator and transfer switch to be installed by Seaway Authority personnel, at no installation cost to the County; and be it further

RESOLVED, that the purchase and installation of a 330 gallon used propane tank to fuel the generator shall be authorized from E&V Energy of Wolcott, NY, at a cost not to exceed \$650.00.

Mr. LeRoy moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

RESOLUTION NO. 862-10: AUTHORIZATION TO PURCHASE MISCELLANEOUS EQUIPMENT FOR THE INTEROPERABLE COMMUNICATIONS PROJECT

Mr. Plant presented the following:

WHEREAS, certain interoperable communications project equipment not previously purchased needs to be ordered to accomplish the goals of the radio project; now, therefore, be it

RESOLVED, that the 911 Coordinator shall be authorized to purchase the following equipment items from the listed sources:

- 3- Motorola XTL1500 mobile radios at a NY State contract price of \$1384 each, to be purchased from Motorola through Finger Lakes Communication, as the local purchasing source
- 68- Motorola speaker / microphones at a NY State contract price of \$66.75 each, to be purchased from Motorola through Finger Lakes Communication, as the local purchasing source
- 4- Liebert rack mount 2200 VA uninterruptible power supplies, model PS2200RT3-120XR, at a cost of \$1040.38 each, to be purchased through the sole source New York contract vendor CDW-G
- 5- Liebert rack mount 1000 VA uninterruptible power supplies, model PS1000RT3-120, at a cost of \$455.85 each, to be purchased through the sole source New York contract vendor CDW-G
- Various simulcast radio system spare equipment from Finger Lakes Communication:
 - 1- Harris Master Sync Module \$5183.52
 - 1- Harris Slave Module 5183.52

1- Harris Sync Adapter 359.55
1- Harris Interface Adapter 750.00

for a total equipment purchase cost not to exceed \$58,513, with shipping costs for the power supplies not to exceed \$200, for a total purchase price not to exceed \$58,713.00.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, adopted.

RESOLUTION NO. 863-10: AUTHORIZATION FOR TOWER AND SITE WORK RELATED TO THE USE OF THE ONTARIO FIRE DISTRICT COMMUNICATIONS TOWER

Mr. Plant presented the following:

WHEREAS, pursuant to Board of Supervisors resolution 29-10, the County of Wayne is entering into an agreement with the Ontario Fire District #1, which will allow for County use of the Ontario Fire District communications tower as a remote receive site for the 911 radio interoperability project and the Ontario Fire District has agreed that the County may have use of the site with no ongoing monthly rent, provided that the County funds certain antenna, line and gate boom reconfiguration and connection work that is needed to allow both the County and the Ontario Fire District to use the site; and

WHEREAS, prior agreements between the Ontario Fire District and the Fred Nudd Corporation, the manufacturer of the communications tower, specify that all work on the tower shall be accomplished exclusively by the Fred Nudd Corporation and the tasks to be accomplished at the site, and on the tower, have been delineated in an Exhibit which is to be included in the agreement to be executed between the County and the Ontario Fire District #1; now, therefore, be it

RESOLVED, that the Fred Nudd Corporation shall be authorized to perform the tasks on the tower included in the aforementioned Exhibit (tasks #1-9, except #5 and #8), at a cost not to exceed \$16,700.00; and be it further

RESOLVED, that Finger Lakes Communication shall be authorized to perform certain cabling and connection work within the Ontario Fire Department, more particularly described as tasks #5 and #8 in the aforementioned Exhibit, at a cost not to exceed \$729.00.

Mr. LeRoy moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, adopted.

RESOLUTION NO. 864-10: AUTHORIZATION TO APPROPRIATE PROJECT ACCOUNT FUNDING FOR THE RADIO COMMUNICATIONS INFRASTRUCTURE PROJECT

Mr. Plant presented the following:

WHEREAS, the current radio project financial status has been reviewed by the Public Safety Committee, including a review of appropriations to date against committed and proposed projects, with a determination made as to the funding necessary to complete all current phases; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized and directed to transfer \$131,627.00 from A878 Undesignated Capital Reserve as follows:

A9950 – TRANSFER TO CAPITAL FUND PROJECT

\$131,627.00 TO .51934 Radio Interoperability Project

H1934 – RADIO INTEROPERABILITY PROJECT

\$131,627.00 TO .45031 – Interfund Transfer

\$131,627.00 TO .52000 COCST – Equipment and Other Cap

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, adopted.

RESOLUTION NO. 865-10: AUTHORIZATION TO APPLY FOR HOMELAND SECURITY GRANT FOR WAYNE COUNTY EMERGENCY MANAGEMENT OFFICE

Mr. Plant presented the following:

WHEREAS, the Wayne County Emergency Management Office has received notification of a grant in the amount of \$205,712 from the New York State Division of Homeland Security and Emergency Services for the FY10 State Homeland Security Program is available for which no local match is required; and

WHEREAS, the purpose of this grant is allow the Wayne County Emergency Management Office to enhance the level of security and service that it currently provides to the citizens of Wayne County during a time of emergency and the Wayne County Emergency Management Office is required by grant guidance to use the funds to support planning, equipment, training and exercise needs associated with preparedness and prevention activities; now, therefore, be it

RESOLVED, that the Director of Emergency Management and the Emergency Management Office Training Officer are hereby authorized to submit a grant application, to be signed by the Chairman of the Board of Supervisors for the FY10 State Homeland Security Program.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Manktelow. Upon roll call, adopted.

RESOLUTION NO. 866-10: AUTHORIZATION TO EXPEND GRANT FUNDS (SH08-1085-E00) AND PURCHASE EQUIPMENT

Mr. Plant presented the following:

WHEREAS, Resolution No. 33-09 authorized the acceptance of grant funds and the execution of a contract (SH08-1085-E00) with NYS Homeland Security and the equipment listed as follows was approved by NYS as acceptable use of the grant funding and this equipment is necessary for operational readiness to respond to a radiological event and this equipment will move into the new EOC, when completed; now, therefore, be it

RESOLVED that Wayne County Emergency Management is authorized to purchase the following equipment:

Survey Meters (5)	\$522 (each)
Probe (5)	\$227 (each)
Cables (10)	\$ 53 (each)

and be it further

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to increase the following accounts:

A3640-EMERGENCY MANAGEMENT OFFICE:

\$4,275 to .44306 Homeland Security

\$4,275 to .52203 Homeland Security Equipment

Mr. LeRoy moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

RESOLUTION NO. 867-10: AUTHORIZATION TO MODIFY BUDGET AND EXPEND GRANT FUNDS

Mr. Plant presented the following:

WHEREAS, the Wayne County Emergency Management Office has received a FY07 State Homeland Security Grant in the amount of \$158,000 with no local match required and a portion of said grant application included the purchasing of video monitoring equipment for use in Web-EOC© crisis management information software located in the Emergency Management Offices and real-time local news information for the Public Information Officer for the purposes of radiological monitoring, media monitoring and enhanced communications capabilities during drills and actual emergencies; now, therefore, be it

RESOLVED, that the County Treasurer amend the 2010 County Budget as follows:

A3640-EMERGENCY MANAGEMENT

\$24,813 to .44306 Homeland Security Grant

\$24,813 to .52203 Homeland Security Equipment

and be it further

RESOLVED, that the Director of Emergency Management is authorized to purchase the required video equipment as follows:

Equipment
A3640.522203 \$24,813

Mr. Kelsch moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

RESOLUTION NO. 868-10: AUTHORIZE REQUEST FOR PROPOSALS FOR RADIOLOGICAL DECONTAMINATION SERVICES

Mr. Plant presented the following:

WHEREAS, the Wayne County Board of Supervisors has passed a resolution regarding the sale of the Certified Home Health Agency (CHHA) and Radiological Decontamination Services have historically been performed by employees of the CHHA and Wayne County is required by NUREG 0654. to provide said services; now, therefore, be it

RESOLVED, that the Director of Emergency Management be authorized and directed to issue a Request for Proposal (RFP) for Radiological Decontamination Services, subject to the County Attorney's approval as to form and content.

Mr. LeRoy moved the adoption of the resolution. Seconded by Mr. Manktelow. Upon roll call, adopted.

RESOLUTION NO. 869-10: AUTHORIZATION TO ACCEPT A STATE LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM GRANT FROM THE OFFICE OF HOMELAND SECURITY

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office has been awarded a 2010 State Law Enforcement Terrorism Prevention Program grant, (SLETPP) from the Office of Homeland Security, in the amount of \$89,312 and said grant is contingent upon the submission and acceptance of the SLETPP application and the acceptance of the grant by the County of Wayne; and

WHEREAS, the Sheriff is the administrator of said grant and said grant monies are directed to be spent on law enforcement terrorism prevention-oriented planning, organization, training, exercise and equipment activities; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute the grant between the NYS Office of Homeland Security and the Wayne County Sheriff's Office; and, further, be it

RESOLVED, that the Wayne County Sheriff 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.

Mr. LeRoy moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

RESOLUTION NO. 870-10: AUTHORIZATION TO EXECUTE AN AFFILIATION AGREEMENT FOR A STUDENT INTERN FOR THE SHERIFF'S OFFICE

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office periodically agrees to have both undergraduate and graduate students participate in internships through various educational institutions and the Sheriff's Office has agreed to have a student participate in an internship through Marywood University, Scranton PA and said internship is dependent upon an Affiliation Agreement between the County of Wayne and Marywood University; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an Affiliation Agreement for student internship with Marywood University, subject to the County Attorney's approval as to form and content.

Mr. Miller moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, adopted.

RESOLUTION NO. 871-10: AUTHORIZE WAYNE COUNTY FIRE ADVISORY BOARD APPOINTMENTS FOR 2011-2012

Mr. Plant presented the following:

WHEREAS, the term of office for the Wayne County Fire Advisory Board shall be for a period of 2 years and the terms of the office of the members of the Wayne County Fire Advisory Board expire on December 31, 2010; now, therefore, be it

RESOLVED, that the following individuals are hereby appointed to a 2 year term of office commencing January 1, 2011 and ending December 31, 2012:

Arcadia	Doug Hares	Ontario	Rich Luety
Butler	Jeffery Teeter	Palmyra	Ronald Hickman
Galen	Joe Tavano Sr.	Wolcott	Lonny Drake
Huron	Gary Lockwood	Savannah	Scott Kolczynski
Lyons	Charles Gibson	Sodus	Tom Roder
Macedon	Kenneth Hammond	Williamson	David Knataitis
Marion	Richard Murphy	Walworth	Ray Welker Jr.
Rose	Jack Newman		

Mr. LeRoy moved the adoption of the resolution. Seconded by Mr. Manktelow.

Mr. Manktelow moved, seconded by Mr. Colacino, that the Fire Advisory Board Appointments be amended by replacing the Town of Lyons representative name of Charles Gibson with Stephen Buisch. Motion carried. Upon roll call, adopted.

RESOLUTION NO. 872-10: ADOPTING INTERNAL REVENUE SERVICE MILEAGE RATE AS COUNTY MILEAGE ALLOWANCE FOR 2011

Mr. Hammond presented the following:

WHEREAS, the IRS has issued its per mile rate allowed for reimbursement for standard mileage at .51 cents per mile, up from .50 cents per mile in 2010 and Wayne County has negotiated with its unions the use of an approved IRS rate per mile for reimbursement to employees on approved County business; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby adopts the prevailing Internal Revenue Service mileage rate for 2011, effective January 1, 2011, for all County approved travel reimbursement.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Lauderdale. Upon roll call, adopted.

RESOLUTION NO. 873-10: AUTHORIZATION TO AMEND THE 2010 COUNTY BUDGET FOR DEFENSE OF INDIGENTS

Mr. Hammond presented the following:

WHEREAS, expenditures have or will be exceeding line items for 2010 and require line item transfers and amending the 2010 County Budget for the Legal Defense of Indigents will allow for continued expenditure of funds to pay authorized bills; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to amend the 2010 County Budget as follows:

A1172-LEGAL DEFENSE OF INDIGENTS:

\$22,580 to .54505 Assigned Counsel-Family

\$20,100 to .54507 Assigned Counsel-Felony

\$ 7,320.00 to .54556 Assigned Counsel-Misdemeanor

A1990-CONTINGENT FUND GEN:

\$50,000.00 from .54000 Contractual Expense

and be it further

RESOLVED, that claims for the Defense of Indigents that have been filed for payment shall be paid as part of an interim audit prior to December 31, 2010.

Mrs. Collier moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

RESOLUTION NO. 874-10: AUTHORIZING AGREEMENT WITH COOPERATIVE EXTENSION ASSOCIATION FOR PAYMENT OF 2011 APPROPRIATIONS

Mr. Hammond presented the following:

WHEREAS, the sum of \$424,647 was appropriated in the 2011 County Budget for the support and maintenance of the work of the County Cooperative Extension Association of Wayne County; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign the Memorandum of Agreement concerning payment of County Appropriations submitted by Cooperative Extension, subject to the County Attorney's approval as to form and content, requiring Cooperative Extension to expend such funds in accordance with an agreement between the Association and Cornell University as agent for the State for the cooperative management of the educational work of the Cooperative Extension Association and the proper supervision of the professional staff employed, and in accordance with the budget of the Association submitted to Cornell University and the Board of Supervisors, and to render an annual report to the Board of Supervisors accounting for receipts, expenditures, and financial condition of Cooperative Extension; and be it further

RESOLVED, that the appropriated sum of \$424,647 shall be paid in equal quarterly installments to the bonded Treasurer of Cooperative Extension, upon audit and approval by the Board of Supervisors of vouchers submitted by Cooperative Extension in such form and containing such information and documentation as may be required by the Board of Supervisors, provided that Cooperative Extension shall comply with the County's Category II minimum insurance standards.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Lauderdale. Upon roll call, adopted.

RESOLUTION NO. 875-10: AUTHORIZATION TO PAY WAYNE COUNTY FEDERATION OF SPORTSMEN'S CLUB 2011 APPROPRIATIONS

Mr. Hammond presented the following:

WHEREAS, the Wayne County Board of Supervisors has budgeted 2011 funds for the Wayne County Federation of Sportsmen's Club; now, therefore, be it

RESOLVED, that the Clerk of the Board is hereby authorized to pay the sum of \$1,877 for the 2010 Appropriation to the Wayne County Federation of Sportsmen's Club, upon submission of claims for payment and after audit and approval of said claims by the Board of Supervisors.

Mr. LeRoy moved the adoption of the resolution. Seconded by Mr. Spickerman. Upon roll call, adopted.

RESOLUTION NO. 876-10: AUTHORIZATION TO PAY WAYNE COUNTY HISTORICAL SOCIETY AND MUSEUM 2011 APPROPRIATIONS

Mr. Hammond presented the following:

WHEREAS, the Wayne County Board of Supervisors has budgeted 2011 funds for the Wayne County Historical Society and Museum; now, therefore, be it

RESOLVED, that the Clerk of the Board is hereby authorized to pay the sum of \$16,200 in one installment in the month of June 2011, for the 2011 Appropriation to the Wayne County Historical Society and Museum, upon submission of a claim for payment and after audit and approval of the claim by the Board of Supervisors.

Mr. LeRoy moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, adopted.

RESOLUTION NO. 877-10: AUTHORIZING 2011 LEGAL SERVICES CONTRACT WITH THE LEGAL AID SOCIETY OF WAYNE COUNTY, INC.

Mr. Hammond presented the following:

RESOLVED, pursuant to Section 244(10) and Section 722 of the County Law, 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 the Legal Aid Society of Wayne County, Inc. for the provision of legal services in civil matters of indigent residents of Wayne County during the period from January 1, 2011 to December 31, 2011; and be it further

RESOLVED, that in full consideration of the services rendered by the Legal Aid Society during the term of the contract, the County shall pay the sum of \$197,654 or the total amount adopted in the 2011 budget, payable in equal monthly installments of \$16,471.17, and shall provide rent-free office space in a County office building.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 878-10: AUTHORIZATION TO PAY THE PIONEER LIBRARY SYSTEM 2011 APPROPRIATIONS

Mr. Hammond presented the following:

RESOLVED, that the Clerk of the Board is hereby authorized to pay the appropriated sum of \$94,365 paid to The Pioneer Library System in two (2) installments of \$47,182.50 each, upon audit and approval by the Board of Supervisors of vouchers submitted by The Pioneer Library System, in the months of February and August 2011.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Spickerman. Upon roll call, adopted.

RESOLUTION NO. 879-10: APPROVING PAYMENT OF 2011 APPROPRIATIONS TO GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL

Mr. Hammond presented the following:

WHEREAS, the County of Wayne has appropriated the sum of \$9,970 as its share of the 2011 operating funds of the Genesee/Finger Lakes Regional Planning Council; now, therefore, be it

RESOLVED, that the payment of \$9,970 to the Genesee/Finger Lakes Regional Planning Council for 2011 is hereby approved.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, adopted.

RESOLUTION NO. 880-10: AUTHORIZING PAYMENT OF 2011 APPROPRIATION FOR WAYNE COUNTY SOIL AND WATER CONSERVATION DISTRICT

Mr. Hammond presented the following:

WHEREAS, the sum of \$184,475.00 was appropriated in the 2011 County Budget for the support and maintenance of the work of the Wayne County Soil and Water Conservation District; now, therefore, be it

RESOLVED, that the payment shall be made to the properly bonded Treasurer of the Wayne County Soil and Water Conservation District in three installments (January - \$61,491.67; April - \$61,491.67; July - \$61,491.67) upon submission by the Soil and Water Conservation District of claims for payment, after audit and approval of the claims by the Board of Supervisors; and be it further

RESOLVED, that the Wayne County Soil and Water Conservation District shall be reimbursed a total cost not to exceed \$100,000 by monthly voucher for actual costs for the drainage program; and be it further

RESOLVED, that the Wayne County Soil and Water Conservation District shall be reimbursed a total cost not to exceed \$59,100 by monthly voucher for actual costs for the

Weed Harvesting Program.

Mrs. Collier moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, all Supervisors voted Aye, except Supervisor Hammond who Abstained from voting. Absent – Supervisor Bender. The Chairman declared the Resolution adopted.

RESOLUTION NO. 881-10: AUTHORIZING EXECUTION AND SUBMISSION OF 2011 ALTERNATIVES TO INCARCERATION SERVICE PLAN UPDATE FOR PRE-TRIAL RELEASE PROGRAM AND AUTHORIZING PROGRAM FUNDING AGREEMENT WITH NEW YORK STATE DIVISION OF PROBATION ALTERNATIVE

Mr. Hammond presented the following:

WHEREAS, Wayne County's Alternative to Incarceration Advisory Board has prepared the 2009 Alternatives to Incarceration Service Plan Update; and the 2011 Plan Update includes the budget for the Pre-Trial Release Program to be implemented by Wayne Pre-Trial Services, Inc., pursuant to a subcontract with Wayne County during the period from January 1, 2011 to December 31, 2011, to be funded as follows:

State Funds	\$30,791.00
Required Local Match	\$79,848.00

now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors ("Chairman") is hereby authorized and directed to execute the 2011 Alternatives to Incarceration Services Plan Update on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, and to submit it to the New York Division of Probation and Correctional Alternatives; and be it further

RESOLVED, that the Chairman is hereby authorized and directed to execute a subcontract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Wayne Pre-Trial Services, Inc. for implementation of the program at a cost not to exceed \$110,639 to be funded as follows; State Funds \$30,791.00; County Funds \$79,848.00; and be it further

RESOLVED, that monthly payments of \$9,219.92 for the months of January 2011 through December 2011 shall be made to Wayne Pre-Trial Services, Inc.

Mrs. Crane moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted.

RESOLUTION NO. 882-10: AUTHORIZE NECESSARY 2010 BUDGET TRANSFERS FOR THE YEAR END

Mr. Hammond presented the following:

WHEREAS, year end requires transfers between departments and between line items to eliminate deficits and the Budget Officer will prepare said line item transfers and forward them to the Treasurer's Office; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized and directed to transfer funds necessary for the year end as prepared by the Budget Officer with a copy of such transfers shall be on file with the Clerk of the Board.

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted.

RESOLUTION NO. 883-10: ESTABLISHING TOWN EQUALIZATION RATES FOR 2011 COUNTY TAXES

Mr. Hammond presented the following:

RESOLVED, pursuant to Section 804 of the Real Property Tax Law, that the following rates recommended by the County Equalization Committee of the Wayne County Board of Supervisors are hereby adopted and established as the County Equalization rates for the towns in Wayne County for the year 2010 to affect the 2011 County taxes:

Arcadia	100.00	Palmyra	100.00
Butler	100.00	Rose	98.00

Galen	100.00	Savannah	90.00
Huron	93.00	Sodus	100.00
Lyons	100.00	Walworth	100.00
Macedon	100.00	Williamson	95.00
Marion	98.00	Wolcott	100.00
Ontario	100.00		

and be it further

RESOLVED, in accordance with the provision of subdivision 2 of Section 804 of the Real Property Tax Law, that within five (5) days of the date of the adoption of this resolution, the Clerk of the Board shall transmit to each town, on a form prescribed by the State Board of Real Property Services, a written notification of the County equalization rate established for each town.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 884-10: AUTHORIZATION TO SHARE DEFENSE COSTS FOR REAL PROPERTY TAX ASSESSMENT REVIEW PROCEEDINGS (ARTICLE 7 LITIGATION)

Mr. Hammond presented the following:

WHEREAS, proceedings to review real property tax assessments are annually commenced against assessing units, namely the Towns of Wayne County and County taxes are based upon assessments established by the assessing units; and

WHEREAS, the County tax levy is, therefore, affected by any court ordered or stipulated reduction in assessed valuation and this Board approved Resolution No. 444-95, amended by Resolution No. 700-06, which was amended by Resolution No. 688-07 and subsequently Resolution No. 307-10 which defined standards and procedures for County participation in litigation involving challenges to real property assessments and a request from the Town of Palmyra has been received by the Real Property Tax Services Director and reviewed and recommended by the Director and the County Attorney; and

WHEREAS, the written request from the Town of Palmyra does include statement of fact that the Town of Palmyra, the Village of Palmyra and the Palmyra-Macedon Central School District have all resolved for their respective Board approval to share in the defense costs for Real Property Tax Assessment review Article 7 proceedings; now, therefore, be it

RESOLVED, that the County of Wayne will participate in providing financial assistance for litigation challenges of real property tax assessments per the provisions of Resolution No. 307-10 for the following Town and their respective petition:

TOWN	Property Owner	Parcel ID#	Index #(s)
Palmyra	Bamberger Wayne Properties, LLC	65111-05-174865, 64111-11-748685	71365et al
		64111-11-735653, 64111-11-737509	
		64111-12-773735, 64111-11-625642	
		64111-11-651564, 64111-11-733561	
		64111-11-518610, 64111-12-914730	
		64111-12-918604, 64111-12-756646	
		64111-12-756623, 64111-11-749673	
		64111-11-726589, 64111-11-520649	

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 885-10: APPROVING APPLICATIONS FOR CORRECTED TAX ROLLS

Mr. Hammond presented the following:

WHEREAS, applications for correction of tax rolls in relation to parcels of property identified below have been filed with the Director of Real Property Tax Services and the Director investigated the circumstances of the claimed errors on the tax rolls and

recommends that the applications be approved; now, therefore, be it

RESOLVED, pursuant to Article 5, Title 3 of the Real Property Tax Law, the applications are approved and the officers having jurisdiction of the tax rolls are hereby authorized to make the following corrections:

TOWN OF ARCADIA

2011 Tax Roll

Account No. 68110-08-926959

Assessed to: Patrick Elliot

Total Tax Difference: \$650.68 Total County Tax Difference: \$00.00

Corrected Total Tax: \$1141.42

TOWN OF ARCADIA

2011 Tax Roll

Account No. 68112-20-921150

Assessed to: Norma McIntyre

Total Tax Difference: \$321.00 Total County Tax Difference: \$00.00

Corrected Total Tax: \$39.48

and be it further,

RESOLVED, that the County Treasurer is hereby authorized and directed to charge back the pertinent taxing authorities in the manner prescribed by Section 554 of the Real Property Tax Law.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Manktelow. Upon roll call, adopted.

RESOLUTION NO. 886-10: AUTHORIZATION TO PAY 2011 APPROPRIATION FOR PALMYRA UNION AGRICULTURAL SOCIETY FOR THE WAYNE COUNTY FAIR

Mr. Hammond presented the following:

WHEREAS, the sum of \$5,265 was appropriated in the 2011 County Budget for financial support to the Wayne County Fair through the Palmyra Union Agricultural Society; now, therefore, be it

RESOLVED, that the appropriated sum of \$5,265 shall be paid in a one-time payment to the Treasurer of the Palmyra Union Agricultural Society, upon receipt of an invoice submitted to the Clerk of the Board.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Miller. Upon roll call, adopted.

RESOLUTION NO. 887-10: AUTHORIZATION TO AMEND BUDGET, TRANSFER FUNDS AND PURCHASE WIDE FORMAT PRINTER/COPIER/SCANNER FOR REAL PROPERTY TAX

Mr. Hammond presented the following:

WHEREAS, the current printer has failed and is no longer able to be fixed and this printer is used to print annual tax maps for the towns as well as ones requested from the public and here is available on state contract said equipment and there are insufficient funds in said account at the present time; now, therefore, be it

RESOLVED, that the County Treasurer amend the 2010 County Budget as follows:

A1990-Contigent Fund Gen

\$16,300 from .54000 Contractual Expense

A1355 Real Property Tax

\$16,300 to .52201 Computer equipment

RESOLVED, that the Director of Real Property Tax Services is hereby authorized to purchase the plotter and 1st year maintenance from account A13552-52201, at a cost not to exceed \$16,300.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 888-10: AUTHORIZATION TO PAY INSURANCE PREMIUM TO HAYLOR, FREYER AND COON, INC.

Mr. Hammond presented the following:

WHEREAS, Wayne County has received a quote from Haylor, Freyer and Coon, Inc. for the following renewal premium due for the County of Wayne for the period of January 1, 2011 through December 31, 2011:

1. Crime Policy - Zurich in the amount of \$4,975; now, therefore, be it RESOLVED, that the Clerk of the Board is hereby authorized to make payments to Haylor, Freyer & Coon, Inc. in the amounts of Four Thousand Nine Hundred Seventy Five and 00/100 from Account A1910.4300 upon adoption of this resolution.

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted.

RESOLUTION NO. 889-10: AUTHORIZATION TO RENEW A SERVICE CONTRACT WITH SMS (SYSTEMS MAINTENANCE SERVICES) FOR IBM HARDWARE MAINTENANCE FOR THE INFORMATION TECHNOLOGY DEPARTMENT

Mr. Hammond presented the following:

WHEREAS, IBM Hardware is used by IT to house the jail system and related Sheriff databases and the maintenance comes up for renewal on an annual basis on January 1st, 2011; and

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract for the Department of Information Technology, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with SMS for Network IBM Hardware Maintenance for the contract period of January 1, 2011 to December 31, 2011 at a cost not to exceed \$2,400.

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted.

RESOLUTION NO. 890-10: AUTHORIZATION TO AMEND BUDGET FOR DEPARTMENT FOR THE AGING

Mr. Hammond presented the following:

WHEREAS, the Department of Aging 2010 budget will experience a shortfall for the payment of Building Maintenance Charges to the Building and Grounds Department and this is partially due to charges made to the department for building maintenance issues beyond the control of the department and the charge to the department becomes revenue to the Buildings and Grounds Department to offset its operating costs; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to make the following adjustments to the 2010 budget:

A1990 Contingent Fund Gen
\$7,500 from .54000 Contractual Expenses
A6772 Area Agency on Aging
\$7,500 to .54438 Maintenance/Repairs

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted.

RESOLUTION NO. 891-10: AMEND PUBLIC SAFETY BUILDING PROJECT (H1925) PER CHANGE ORDER NUMBERS APPROVED ON DECEMBER 7, 2010

Mr. Hammond presented the following:

WHEREAS, the Building Renovation Committee (BRC) has the authority to approve change orders up to \$10,000.00 for the Public Safety Building Renovation Project and the BRC met on December 7, 2010 to review the status of the project and reviewed and approved various change orders with in components of the project; and

WHEREAS, the following change orders were reviewed and approved for the General

Contractor component: GC-68 installation of temporary fence (\$2,355), GC-79 tape and finish existing drywall (\$1,944), GC-90 furnish and install new door frame (\$594), GC-92 lower glass in the corners of two rooms (\$1,428), GC-93 provide flashing to protect exterior foundation exposed due to regarding (\$2,505), GC-96 deletion of building signage (credit \$2,095), GC-97 change lockset from passage to locking (\$586), GC-98 adding remote card access to door (\$1,725), GC-99 cleaning of existing swale near parking lot (\$2,394), and GC-102 difference in cost for drywall ceiling from a drop ceiling in area S-1005 (\$1,120) making a net total increase of \$12,556 in cost.

WHEREAS, the above approved change orders require amendments to the H1925 CO. BLDG. RENOVATION-ONH budget; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to amend Project H1925 CO. BLDG. RENOVATION-ONH as follows:

H1925-CO. BLDG. RENOVATION-ONH:

\$ 12,556 to .52813 General Trades
 \$ 12,556.00 from .52818 Contingency

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, adopted.

RESOLUTION NO. 892-10: AUDIT OF CLAIMS- December 21, 2010

Mr. Hammond presented the following:

WHEREAS, the following claims submitted at this meeting of Board of Supervisors have been examined and approved by the appropriate Committees; now, therefore, be it

RESOLVED, that the following Claims totaling \$3,240,034.57 are hereby approved for payment and the Treasurer is hereby authorized and directed to make payment of the same:

A Fund	\$ 1,907,422.78
D Fund	\$ 84,671.57
DM Fund	\$ 295,110.59
E Fund	\$ 387,569.64
H Fund	\$ 543,565.99
MS Fund	\$ 21,311.00
S Fund	\$ 363.00
Warrant Total	\$ 3,240,034.57

and be it further

RESOLVED, that the following utilities totaling \$121,329.42, processed pursuant to Resolution No. 176-78, are hereby ratified:

A Fund	\$ 80,871.06
H Fund	\$ 6,999.75
DM Fund	\$ 3,018.71
E Fund	\$ 30,439.90
Utility Total	\$ 121,329.42

and be it further,

RESOLVED, that miscellaneous disbursement checks were processed for the following County Departments, totaling \$411,848.57, are hereby ratified:

Misc. Disbursement Total	\$ 411,848.57
November Payments Total	\$ 3,773,212.56

Mr. Kelsch moved the adoption of the resolution. Seconded by Mr. Lauderdale. Upon roll call, adopted.

AD HOC – Hotchkiss Building Committee

RESOLUTION NO. 893-10: AMEND HOTCHKISS BUILDING PROJECT TO REFLECT REDUCED RESTORATION BUDGET AND AUTHORIZE COUNTY CONTRIBUTION (DEFEATED)

Mr. Manktelow presented the following:

WHEREAS, the agreement for the federal Save America's Treasures Grant in the amount of \$197,221 expires on June 30, 2011 and the funds for this grant must be expended no later than 30 days subsequent to the expiration of the agreement and required grant agency reviews and approvals of the design for the project are taking more time than anticipated thereby creating timeline issues and attempts to obtain an extension of the agreement deadline were not successful; and

WHEREAS, the project timeline will not allow expenditure of funds related to this grant by the deadline imposed and the Save America's Treasures grant must therefore be returned to the U.S. Department of the Interior and the Hotchkiss Project budget amended to reflect a reduction in funding of \$197,221; and

WHEREAS, the action to return the Save America's Treasures grant will result in a County cost for this project and completely abandoning the project will cost the county in excess of \$100,000, the amount that has been expended thus far for the design and document consultants and alternatively the County can contribute \$49,900 toward the project and preserve the balance of the other grant funding and complete a project on a reduced scale; now, therefore, be it

RESOLVED, that a County expenditure not to exceed \$49,900 is authorized for this project; and be it further

RESOLVED, that the County Treasurer is authorized to amend the County Budget as follows:

A1990 CONTINGENT FUND GENERAL

\$49,900 from .54000 Contractual Expenses

A9950 TRANSFER TO CAPITAL FUND PROJECT

\$49,900 to .52775 County Building Renovations

H74020 HOTCHKISS BUILDING RESTORATION

(Revenue)

\$49,900 to .45031 Interfund Transfers

\$197,121 from .44001 Hotchkiss Bldg-Federal Aid

(Appropriation)

\$147,221 from .52000 Equipment & Other Cap Outlay

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Groat.

Supervisor Manktelow, Chairman of the Ad Hoc Hotchkiss Building Committee, introduced Sharon Lilla, Director of the Wayne County Planning Department to discuss the purpose of today's proposed resolution for the H.G. Hotchkiss Property. Ms. Lilla gave an overview that included grant funding deadlines for the restoration/renovation project of the H.G. Hotchkiss Building; and answered questions that the Board had.

Questions were raised regarding the outlook for the success of this project, as the original Board approval to accept the grant included no additional county costs.

Members asked if the Village of Lyons was still interested in taking responsibility of this property after the completion of the restoration project.

Supervisors addressed concerns regarding the grant timelines that have not been met; and were discouraged with the many agencies involved that have held up certain items necessary to meet those deadlines.

More discussion took place regarding the costs expended thus far, in excess of \$100,000, the amount for the design and document consultants verses contributing the additional \$49,900 toward the project to preserve the balance of the other grant funding; and complete a project on a reduced scale.

A question was raised as to any assurance to put pressure on the reviewing agencies in charge to meet the crucial grant funding deadlines.

Discussion continued with comments that the County took ownership of this property with the intension of preserving it.

A statement was made that Wayne County provides service; further, this restoration

project should not be a County expense.

Mr. Lauderdale moved, seconded by Mr. Colacino, that an amendment be drafted to include that the additional County expenditure is contingent upon the amendment of an agreement between the County of Wayne and the Village of Lyons, to reflect the loss of the "Save America's Treasures Grant" of \$197,221. Motion carried.

The Chairman requested the board take a short recess at 10:12 a.m. to consult with the County Attorney to write the proposed amendment.

After the Board resumed session, copy of the following amended resolution was distributed:

RESOLUTION NO. 893-10: AMEND HOTCHKISS BUILDING PROJECT TO REFLECT REDUCED RESTORATION BUDGET AND AUTHORIZE COUNTY CONTRIBUTION AND AUTHORIZE AMENDED AGREEMENT (DEFEATED)

Mr. Manktelow presented the following:

WHEREAS, the agreement for the federal Save America's Treasures Grant in the amount of \$197,221 expires on June 30, 2011 and the funds for this grant must be expended no later than 30 days subsequent to the expiration of the agreement and required grant agency reviews and approvals of the design for the project are taking more time than anticipated thereby creating timeline issues and attempts to obtain an extension of the agreement deadline were not successful; and

WHEREAS, the project timeline will not allow expenditure of funds related to this grant by the deadline imposed and the Save America's Treasures grant must therefore be returned to the U.S. Department of the Interior and the Hotchkiss Project budget amended to reflect a reduction in funding of \$197,221 and the action to return the Save America's Treasures grant will result in a County cost for this project; and

WHEREAS, completely abandoning the project will cost the county in excess of \$100,000, the amount that has been expended thus far for the design and document consultants and alternatively the County can contribute \$49,900 toward the project and preserve the balance of the other grant funding and complete a project on a reduced scale; now, therefore be it

RESOLVED, that a County expenditure not to exceed \$49,900 is authorized for this project; and be it further

RESOLVED, that said county expenditure is contingent upon the amendment of an agreement between the County of Wayne and the Village of Lyons to reflect loss of the "Save America's Treasures Grant"; and be it further

RESOLVED, that the Chairman of the Board is hereby authorized to execute said amendment of the agreement, subject to the County Attorney's approval as to form and content; and be it further

RESOLVED, that the County Treasurer is authorized to amend the County Budget as follows:

A1990 CONTINGENT FUND GENERAL

\$49,900 from .54000 Contractual Expenses

A9950 TRANSFER TO CAPITAL FUND PROJECT

\$49,900 to .52775 County Building Renovations

H74020 HOTCHKISS BUILDING RESTORATION

(Revenue)

\$49,900 to .45031 Interfund Transfers

\$197,121 from .44001 Hotchkiss Bldg-Federal Aid

(Appropriation)

\$147,221 from .52000 Equipment & Other Cap Outlay

Discussion continued that included the question if County funds were available to

possibly put the Hotchkiss building structure in sound condition to turn over to the Village of Lyons. Many Board members agreed that they would truly like to see this project completed as there is a need to preserve our history. Some stated that the risks in today's economy are too high and perhaps the County should cut its losses.

Further comment included that unless some private organization comes through with the funding necessary, no additional county funds should be used for the restoration of the Hotchkiss Property.

Upon roll call on the amended resolution, all Supervisors voted Nay, except Supervisors Colacino, Groat, Crane, Manktelow, Collier and Lauderdale who voted Aye. Absent – Supervisor Bender. The Chairman declared the Resolution defeated.

Mrs. Crane moved, seconded by Mrs. Collier that three (3) resolutions be allowed on the floor under other business. Upon roll call, all supervisors voted Aye except Supervisors Lauderdale who voted Nay. Absent – Supervisor Bender. Motion carried.

RESOLUTION NO. 894-10: ACCEPTANCE OF PHARMACEUTICAL AVERAGE WHOLESALE PRICE LITIGATION PROCEEDS

Mrs. Crane presented the following:

WHEREAS, Allegations of overcharging by various pharmaceutical companies resulted in a lawsuit joined by a number of New York State Counties of which Wayne is one, and;

WHEREAS, Settlements from the pharmaceutical companies are received and apportioned as a percent of each counties' claims; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby accepts Wayne County's share of the Average Wholesale Litigation Settlement Proceeds as follows:

- \$5,781.16 from Merck
- \$923.20 from Novartis
- \$10,474.84 from Schering Warrick
- \$307.73 from TAP
- \$14,134.59 from Watson

Ms. Park moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 895-10: AUTHORIZATION TO CREATE AND FILL THE ASSISTANT ADMINISTRATOR/COMPLIANCE POSITION FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, it has been determined that the current Compliance Officer function at the Nursing Home should be changed from consultant to an employee position; and the Nursing Home is also in need of an Assistant Administrator; and

WHEREAS, it is efficient to have both of these functions performed by an Assistant Administrator/Compliance Officer position and the Wayne County Nursing Home 2011 Budget reflects an Assistant Administrator/Compliance position and it has been determined that this position is Management Confidential and the salary has been budgeted at \$65,350 per year; now, therefore, be it

RESOLVED, that the position of Assistant Administrator/Compliance at the Wayne County Nursing Home is hereby created at the annual salary of \$65,350, effective January 3, 2011.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, all Supervisors voted Aye. Absent – Supervisor Bender. The Chairman declared the Resolution adopted.

RESOLUTION NO. 896-10: AUTHORIZATION TO PAY INSURANCE PREMIUM TO

HAYLOR, FREYER AND COON, INC.

Mr. Hammond presented the following:

WHEREAS, Wayne County has received a renewal notice from Haylor, Freyer and Coon, Inc. for the following insurance policies for the period of January 1, 2011 – December 31, 2011:

13. Excess Employers Liability in the amount of Thirty Six Thousand Twenty One (\$36,021) from Account S17104.54003

now, therefore, be it

RESOLVED, that the Clerk of the Board is hereby authorized to make payments to Haylor, Freyer & Coon, Inc. after January 1, 2011 in the amounts Thirty Six Thousand One Hundred Seventy Five (\$36,021) for the Excess Employers Liability from Account S17104.54003.

Mr. Kelsch moved the adoption of the resolution. Seconded by Mr. Plant.

County Attorney Wyner addressed the Board to state that his office received this invoice last Friday, for Excess Employers Liability Coverage for the County, beginning January 1, 2011, thus, the need for this resolution today.

Upon roll call, adopted.

EXECUTIVE SESSION: Mrs. Collier moved, seconded by Mr. Lauderdale that the Board go into Executive Session at 12:06 p.m. to discuss proposed litigation. Upon roll call, carried.

REGULAR SESSION: Ms. Park moved, seconded by Mr. Lauderdale that the Board resume regular session at 12:45 p.m. Carried.

ADJOURNMENT:

The 2011 Organizational Meeting of the Wayne County Board of Supervisors is scheduled for Tuesday, January 4, 2011 at 9:00 a.m.

Ms. Park moved, seconded by Mrs. Crane that the board adjourn at 12:46 p.m. Carried. Sine Die.

Sandra J. Sloane, Clerk, Wayne County Board of Supervisors
