

4th Day  
Thursday, February 22, 2007  
9:00 a.m.

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

Upon roll call, all Supervisors were present, except Supervisor Park, who was absent. County Attorney Daniel Wyner and Interim-County Administrator Keith Kubasik were also present.

Daniel Wyner, County Attorney, introduced Daniel Connor to the Board as the new Assistant County Attorney.

**APPROVAL OF MINUTES:**

Mr. Fabino moved, seconded by Mr. DeSanto, that the minutes of the previous meeting be approved as printed. Upon roll call, carried.

**SUMMARY OF CLAIMS BY COMMITTEE:**

<b>Committee 2</b>	<b>Supervisors, Personnel and Salary</b>	
A10104	Legislative Board	1,003.98
A10404	Clerk Legislative Board	519.65
A14204	County Attorney	3,045.15
A14304	Personnel Department	<u>687.44</u>
		<b>\$ 5,256.22</b>
<b>Committee 3</b>	<b>Assessment and Insurance</b>	
A13552	Assessment - Real Property Tax	299.98
A13554	Assessment - Real Property Tax	3,498.87
A14314	Cafeteria Plan	1,301.96
A19104	Unallocated Insurance	4,128.00
A19304	Judgments & Claims	<u>617.51</u>
		<b>\$ 9,846.32</b>
<b>Committee 4</b>	<b>Judicial</b>	
A11654	District Attorney	7,782.03
A11674	Crime Victims Board Grants	83.52
A11704	Public Defender	2,412.08
A11724	Legal Defense of Indigents	43,251.50
A11734	Wayne Pre-Trial Services, Inc.	8,869.92
A11854	Coroner	2,944.40
A11904	Grand Jury	1,888.97
A31402	Probation	10,397.85
A31404	Probation	<u>6,799.52</u>
		<b>\$ 84,429.79</b>
<b>Committee 5</b>	<b>Buildings, Grounds and Parks</b>	
A16154	Building & Grounds	44,901.56
H19152	Parks Project	<u>19,319.44</u>
		<b>\$ 64,221.00</b>
<b>Committee 6</b>	<b>County Clerk, Elections and Veterans</b>	
A14104	County Clerk	3,091.63
A14502	Board of Elections	8,959.89
A14504	Board of Elections	12,809.28
A65104	Veteran Services	<u>3,741.95</u>
		<b>\$ 28,602.75</b>
<b>Committee 7</b>	<b>Highway</b>	
A16404	Central Garage	7,829.97

	D50104	Highway Administration	1,442.11
	D51104	Maintenance of Roads & Bridges	18,829.50
	D51114	Road Striping & Sign Maint	11,094.05
	D51122	Road Construction	34,422.22
	D51424	Snow Removal – County	476,577.05
	DM51304	Road Machinery	<u>72,815.98</u>
			<b>\$ 623,010.88</b>
<b>Committee 8</b>		<b>Social Services</b>	
	A60102	Administration	101,633.49
	A60704	Purchase of Services	1,500.00
	A61094	Family Assistance	80.00
	A61234	Juv Delinquent Care	2,328.13
	A61404	Safety Net	520.00
	A62124	WFD/DSS Intensive Employment	392.99
	A62144	Economic Opportunity & Develop	273.76
	CD62934	WIA Adult	179.99
	CD62944	WIA Dislocated	423.62
	CD62954	WIA Youth	348.58
	E	Enterprise (Nursing Home)	3,997.00
	E60004	NH Combined	<u>421,340.87</u>
			<b>\$ 533,018.43</b>
<b>Committee 9</b>		<b>Historical and Education</b>	
	A24904	Community College	7,089.72
	A74104	Library	<u>47,182.50</u>
			<b>\$ 54,272.22</b>
<b>Committee 10</b>		<b>Finance</b>	
	A13254	Treasurer	4,295.27
	A13644	Expenses on Prop Acquired	32.98
	A16714	Printing Department	2,537.19
	A16804	Information Technology	169,927.37
	MS17104	Administrative Fees	<u>10,747.50</u>
			<b>\$ 195,987.96</b>
<b>Committee 11</b>		<b>Public Health</b>	
	A40102	Public Health	17,330.81
	A40114	Public Health Service	25,754.62
	A40164	PH - Early Intervention 0-1	115,183.41
	A40174	PH - Child w/Spec Needs 3-5	541,667.37
	A40184	Public Health Education	8,180.91
	A40194	Wayne Community Nursing Care	21,614.54
	A40204	PH - EMS Coordinator	186.72
	A43002	Behavioral Health	14,927.92
	A43004	Behavioral Health	96,503.09
	A43224	Community Providers	<u>131,739.00</u>
			<b>\$ 973,950.21</b>
<b>Committee 12</b>		<b>Planning</b>	
	A64104	Publicity (Tourism)	2,291.23
	A64114	Tourism Matching Funds Program	6,233.06
	A80202	Planning Board	2,278.63
	A80204	Planning Board	<u>22,862.70</u>
			<b>\$ 33,665.62</b>
<b>Committee 13</b>		<b>Public Safety</b>	
	A31104	Sheriff	6,027.49
	A31114	Sheriff - Recreational Safety	167.01

A31124	Sheriff - Civil Office	92.40
A31134	Sheriff - Juvenile Office	371.51
A31142	Sheriff - Road Patrol	3,524.50
A31144	Sheriff - Road Patrol	8,187.07
A31154	Sheriff - Detective Unit	4,521.09
A31154	Sheriff - Detective Unit	1,091.83
A31164	Sheriff - Court Security	1,410.50
A31502	Sheriff - Jail	8,081.79
A31504	Sheriff - Jail	86,007.82
A33154	Stop DWI	2,328.37
A34104	Mutual Aid (Fire Coordinator)	3,131.62
A36404	Emergency Management Office	1,514.18
A36424	E911 Communications	5,754.91
A36444	ALS Services	6,522.09
A66104	Consumer Affairs (W&M)	107.07
H19352	Enhance911Emergency Telephone	<u>22,057.55</u>
		<b>\$ 160,898.80</b>
<b>Committee 14</b>	<b>Agriculture, Aging, Youth and Recreation</b>	
A67722	Area Agency on Aging	217.54
A67724	Area Agency on Aging	72,989.96
A73104	Youth Bureau	30,161.04
		<b>\$ 103,368.54</b>
	<b>Warrant Total</b>	<b>2,870,528.74</b>
	<b>During the Month Utilities</b>	<b>\$ 216,778.98</b>

Mr. Colvin moved, seconded by Mr. Fabino, that the Summary of Claims be referred to the appropriate committees for audit. Upon roll call, carried.

**COMMUNICATIONS:**

The Clerk read the following:

The Sheriff's Report for the month of January 2007 in the amount of \$12,434.29 was received.

A copy of the Western Finger Lakes Solid Waste Management Authority's December 2006 Board Meeting minutes was received.

A Resolution was received from Jefferson County Legislators petitioning the NYS Department of Environmental Conservation to repeal current trout/salmon fishing regulations for Lake Ontario and replace them with the regulations in effect from September of 1978. This repeal will simplify the NYS regulations, making them more uniform with current Canadian regulations.

A thank you letter was received from Robert Williams, District Manager of the Wayne County Soil and Water Conservation District, thanking the Board for the increase in the 2007 budget amount for support to improve drainage across Wayne County.

A letter from NYS Association of Counties, acknowledging the Receipt of Resolution No. 705-06, entitled "Urging the Adoption of Appropriations by the State of New York to fully fund the cost of Acquiring New Voting Machines", and their assurance of forwarding a copy of said resolution to the appropriate NYSAC Standing Committee.

A letter was received from Congressmen James T. Walsh, requesting updates and re-submissions of all appropriation requests for programs by March 1. This request is due to the 109<sup>th</sup> Congress ending without a final budget in place, therefore, continuing 2006 funding levels through September 30 of this year.

A thank you note was received from Hank Krasucki for the visits, cards, phone calls and well wishes he received while in therapy and home re-cooperating from his knee replacement surgery.

A thank you note was received from Don Colvin, thanking the board for their thoughtfulness in sending a fruit basket during his recuperation at home. He truly enjoyed it

and is looking forward to getting back to work.

A Resolution was received from the Fulton County Board of Supervisors supporting the passage of the Medicaid County Protection Act of 2007 and also to urge all NYS Counties and their Federal Representatives to become sponsors of this important legislation.

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

Chairman Hoffman introduced Chris Conner, Director of AmeriCorps of the Wayne County Action Program, Inc.

Ms. Conner addressed the Board and explained that Americorps, a mentoring and peer service, is a National Service Volunteer Program where host sites in our county use members to assist them in their work with children and others in need. She thanked Board members for the opportunity to speak and would appreciate their assistance in getting the word out to the community.

**ANNUAL REPORTS:**

Wayne County Clerk  
Wayne County Board of Elections  
Wayne County Department of Probation and Correctional Alternatives  
Wayne County Emergency Management  
Wayne County Stop DWI Program  
Wayne Pre-Trial Services, Inc.

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

**PROCLAMATIONS:**

The Clerk of the Board read a Proclamation on behalf of the Board, entitled "Entrepreneurship Week – February 25 – March 3, 2007", in Wayne County.

**RESOLUTION NO. 76-07: AUTHORIZATION TO PURCHASE DOSIMETER AND OFFICE CHAIRS AND TRANSFER CAPITAL RESERVE FUNDS INTO 2007 OPERATING BUDGET FOR EMERGENCY MANAGEMENT**

Mrs. Bender presented the following:

WHEREAS, the County of Wayne has consolidated all its projects (H Funds) into a Capitol Reserve account effective December 31, 2004; and

WHEREAS, Emergency Management Office has current obligations to pay which would have been expended out of said H Project; and

WHEREAS, the department needs to purchase office chairs for the department and 4 Nukalert Radiation Monitors for our field teams to replace our Xetex chirping dosimeters which can no longer be repaired as these give an audible signal when they detect radiation and are the only key chain dosimeters that are available and are supported by the Office of Homeland Security as reliable; now, therefore, be it

RESOLVED, that the Director of Emergency Management is hereby authorized to purchase the following:

4 - Nukalert Radiation Monitors	\$580.00
2 - Office chairs	\$380.46

and be it further

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

**Capital Reserve Fund 878:**

\$960.50 to A36402-52000 (Emergency Management – Equipment and Other Capital Outlay).

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

**RESOLUTION NO. 77-07: AUTHORIZATION TO ADOPT THE WAYNE COUNTY MULTI-JURISDICTIONAL ALL-HAZARD MITIGATION PLAN**

Mrs. Bender presented the following:

WHEREAS, FEMA has approved the Wayne County Multi-Jurisdictional All-Hazard Mitigation Plan and requires that the County of Wayne pass a resolution adopting this plan; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby adopts the Wayne County Multi-Jurisdictional All-Hazard Mitigation Plan as the county's Natural Hazard Mitigation Plan and the Director of Emergency Management is hereby authorized to forward a copy of said resolution to FEMA.

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

**RESOLUTION NO. 78-07: AUTHORIZATION TO EXECUTE INMATE HOUSING AGREEMENT WITH ONTARIO COUNTY SHERIFF'S OFFICE**

Mrs. Bender presented the following:

RESOLVED, that the Chairman of the Wayne County Board of Supervisors and Wayne County Office of Sheriff are hereby authorized and directed to execute an inmate housing agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Ontario County for housing Wayne County inmates in Ontario County Jail at a cost of \$85 per day through December 31, 2007.

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

**RESOLUTION NO. 79-07: AUTHORIZATION FOR THE WAYNE COUNTY SHERIFF TO SIGN AGREEMENT WITH THE WAYNE COUNTY CHAPTER OF THE AMERICAN RED CROSS**

Mrs. Bender presented the following:

RESOLVED, that the Wayne County Sheriff is hereby authorized and directed to sign an agreement with the American Red Cross for the purpose of providing training as necessary for the Sheriff's Office employees, subject to the County Attorney's approval as to form and content effective January 1, 2007 through December 31, 2007.

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

**RESOLUTION NO. 80-07: AUTHORIZATION TO ACCEPT GRANT FROM THE OFFICE OF HOMELAND SECURITY AND MODIFY BUDGET**

Mrs. Bender presented the following:

WHEREAS, The Wayne County Office of Sheriff has received a grant in the amount of \$59,100 from the Office of Homeland Security for the FY06 Grant Program to purchase two(2) emergency vehicles and train personnel in the use of these vehicles. (July 1, 2006 through June 30, 2008) and the Sheriff is hereby authorized to purchase equipment associated with this grant.

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

Account No. A3114 – Road Patrol

Increase appropriations	.52500 (other equipment)	\$59,100
Increase revenues	A31141.43302 Fed.	\$59,100

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

**RESOLUTION NO. 81-07: AUTHORIZATION TO ACCEPT GRANT FROM THE DIVISION OF CRIMINAL JUSTICE SERVICES – CHILD SAFETY IDENTIFICATION PROGRAM**

Mrs. Bender presented the following:

WHEREAS, the Wayne County Office of Sheriff has received a grant in the amount of \$15,000 from the Division of Criminal Justice Services for the purchase of Identification equipment, Laptop computer and miscellaneous items; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute any documentation associated with this grant on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Division of Criminal Justice Services for the period February 1, 2007 through August 15, 2007; and be it further

REOSLVED, that the Sheriff is hereby authorized to purchase equipment associated with this grant; and be it further

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

Account No. A3113 – Juvenile Office

Increase appropriations	.52500 (other equipment)	\$11,326.00
	.54600 (Misc.)	\$3,674.00
Increase revenues	A31131.42770 State	\$15,000.00

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

**RESOLUTION NO. 82-07: AUTHORIZATION TO FILL THE NEWLY CREATED POSITION OF COURT SECURITY OFFICER AT THE WAYNE COUNTY HALL OF JUSTICE AND MODIFY BUDGET**

Mrs. Bender presented the following:

WHEREAS, the Wayne County Office of Sheriff has been given permission to create an additional position of Court Security Officer at the Wayne County Hall of Justice by the Seventh Judicial District; now, therefore, be it

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

Account No. A3116 – Court Security

.51503	Court Security Office		\$34,904.00
.58200	Increase Personal Services	FICA	2,670.00
.58100	Retirement		3,490.00
.58400	Health Insurance		10,967.00
.58600	Disability		156.00
.58901	Employees Assist		15.25
Total Personal Services:			57,202.00

Increase appropriations			
.54187	Uniforms		1,000.00
.52500	Other equipment		1,000.00
Total Appropriations:			2,000.00
Increase revenues A31160.43312 (state)			59,202.00

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

**RESOLUTION NO. 83-07: AUTHORIZATION TO PURCHASE GIS RECTIFICATION SERVICES FOR E911 COMMUNICATIONS**

Mrs. Bender presented the following:

WHEREAS, the Wayne County 911 CAD system depends on accurate mapping to display the location of incidents and police vehicles; and

WHEREAS, without a centralized GIS source, 911 developed its own digital mapping data when the 911 CAD system was implemented in 1997; and

WHEREAS, additions to the mapping system have been added “in house” since that time,

without complete accuracy; and

WHEREAS, New York State ALIS (Accident Location Information System) data would be available for the 911 center to use, if an initial rectification was performed between our existing data, and the State's ALIS data; and

WHEREAS, the Real Property Tax department will make updates to the rectified data to add new roads on an ongoing basis; and

WHEREAS, the 911 Technology Coordinator has received the following quotes for performing GIS data work to rectify the ALIS data against our existing data, to result in an ARC "shape" file:

LaBella Associates	\$4,920
Bergmann Associates	6,700
James W. Sewall Co.	20,655

now, therefore, be it

RESOLVED, that the 911 Coordinator shall be authorized to purchase the above mentioned data rectification services from LaBella Associates, at a total project cost not to exceed \$4,920.

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

**RESOLUTION NO. 84-07: AUTHORIZATION TO TRANSFER BALANCE OF FUNDS AT THE END OF 2006 IN THE JOINT MUNICIPAL IMPROVEMENTS PROGRAM AND THE INDUSTRIAL DEVELOPMENT PROGRAM TO BE APPROPRIATED IN 2007**

Mr. Spickerman presented the following:

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

WHEREAS, the funds obligated but not expended in 2006 need to be added to the 2007 County Budget; and

WHEREAS, the County closed these accounts out to fund balance at the end of 2006; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized and directed to transfer \$809,879 in funds from the Appropriated Fund Balance as follows:

**Account No. A6326 - ECONOMIC DEVELOPMENT ADMINISTRATION**

\$171,207.00 to .54552 Joint Municipal Improvements

\$638,672.00 to .54553 Industrial Development Program

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

**RESOLUTION NO. 85-07: AUTHORIZATION TO ACCEPT ERIE CANAL GREENWAY AND NYS ENVIRONMENTAL PROTECTION FUND GRANTS FOR RESTORATION OF THE HOTCHKISS BUILDING**

Mr. Spickerman presented the following:

WHEREAS, Resolution numbers 498-06 and 341-06 authorized the Planning Department to prepare and submit grant applications to the NYS Erie Canal Greenway Program (Greenway) and NYS Environmental Protection Fund (EPF), respectively, for the restoration of the Hotchkiss Building; and

WHEREAS, these grants were submitted and recently awarded to the County in the amounts of \$224,787 (Greenway) and \$75,000 (EPF); and

WHEREAS, it will be necessary to execute a contract and other documents with each funding agency in order to proceed with the project; now, therefore, be it

RESOLVED, that the County accepts both the Greenway and EPF grants for the restoration of the Hotchkiss Building, and authorizes and directs the Chairman of the Board of Supervisors to execute all documents required thereto, subject to review and approval by the County Attorney as to form and content.

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

call, adopted.

**RESOLUTION NO. 86-07: AUTHORIZE BISHOP SHEEN ECUMENICAL HOUSING FOUNDATION TO APPLY FOR HOME PROGRAM FUNDING ON BEHALF OF WAYNE COUNTY**

Mr. Spickerman presented the following:

WHEREAS, the Bishop Sheen Ecumenical Housing Foundation has successfully implemented several HOME Program Grants on behalf of Wayne County; and

WHEREAS, the 2007 HOME Program grant applications are due to the New York State Housing Trust Fund Corporation by March 26, 2007; and

WHEREAS, the Bishop Sheen Ecumenical Housing Foundation has proposed to build upon this successful record by submitting an application for HOME Funding on behalf of Wayne County in the amount of \$400,000, such funds to be used to provide moderate rehabilitation for income eligible single family homeowners; now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes the Bishop Sheen Ecumenical Housing Foundation to submit an application for HOME Funds in the amount of \$400,000 on behalf of Wayne County; and be it further

RESOLVED, that the Chairman is authorized and directed to act in connection with this application and execute any necessary documents required for the submission of the application, subject to approval as to form and content by the County Attorney.

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

**RESOLUTION NO. 87-07: SETTING DATES FOR PUBLIC HEARINGS FOR COMMUNITY DEVELOPMENT BLOCK GRANT SMALL CITIES PROGRAM**

Mr. Spickerman presented the following:

WHEREAS, Wayne County is considering making application to the Governor's Office for Small Cities for funding under the Community Development Block Grant Program; and

WHEREAS, two public hearings to fulfill citizen participation requirements are necessary prior to the submission of a Community Development Block Grant Small Cities application; and

WHEREAS, the purpose of the public hearings will be to receive citizen suggestions concerning community development priorities and to assist the Wayne County Board of Supervisors in identifying possible projects for inclusion in an application for funding under the Community Development Block Grant Small Cities program; now, therefore, be it

RESOLVED, that the Board of Supervisors has scheduled public hearings on Monday, March 5, 2007 at 6:00 p.m. and Monday, March 19, 2007 at 6:30 p.m. at the Huron Town Hall, 10880 Lummisville Road, Wolcott, New York 14590

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

**RESOLUTION NO. 88-07: APPROVING THE OFFICIAL UNDERTAKING OF PUBLIC EMPLOYEES FIDELITY (BLANKET) BOND FOR 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 2007 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. Plant moved the adoption of the resolution. Seconded by Mr. Fabino. Upon roll call, adopted.

**RESOLUTION NO. 89-07: AUTHORIZE AGREEMENT WITH CLOUGH HARBOUR AND ASSOCIATES FOR A COUNTYWIDE GIS NEEDS ASSESSMENT**

Mr. Spickerman presented the following:

WHEREAS, the Wayne County was awarded a grant from the NYS Education Department for funding under the Local Government Management Improvement Fund ("LGRMIF") in the amount of \$37,960 to conduct a GIS Needs Assessment for Wayne County; and

WHEREAS, the Director of Planning, on behalf of the County of Wayne, placed an advertisement in the NY Contract Reporter soliciting Requests for Qualifications defining in specific terms experience with projects of a similar nature and scope and providing direct hourly costs and information related to overhead charged for a project of this nature; and

WHEREAS, a project committee reviewed eight submissions, choosing to interview three consultant teams and ultimately selecting one firm; now, therefore be it

RESOLVED, that the Chairman of the Board is authorized and directed to execute an agreement with Clough Harbour and Associates for the preparation of a Countywide GIS needs assessment, 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. 90-07: AUTHORIZATION TO PROVIDE PLANNING BOARD AND ZONING BOARD OF APPEALS TRAINING SESSION**

Mr. Spickerman presented the following:

WHEREAS, New York State has adopted Chapter 662 of the Laws of 2006, which requires members, including alternates, of all planning boards and zoning board of appeals to obtain four hours of training each year effective January 1, 2007; and

WHEREAS, the above sections of state law provide that a planning board or zoning board of appeals member shall not be eligible for reappointment to such board if they have not completed the training required by law; and

WHEREAS, experts from the Local Government Division of the New York Department of State have agreed to provide training on Wednesday, April 18, 2007 at the Lyons Community Center, 4 Manhattan Street, Lyons, N.Y., from 5 p.m. to 9 p.m.; and

WHEREAS, the New York Department of State encourages counties to partner together in their planning board and zoning board of appeals training efforts; and

WHEREAS, the Seneca County Economic Development and Planning Department has agreed to financially contribute to a bi-county training session organized and hosted by the Wayne County Planning Department; and

WHEREAS, the Wayne County Planning Department and the Seneca County Economic Development and Planning Department have funds available to cover the training costs; now, therefore, be it

RESOLVED, that the Wayne County Planning Department be authorized to provide the local land use training session at a cost not to exceed \$1000 from A8020.54600-Misc.

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

**RESOLUTION NO. 91-07: ENDORSE WILLIAMSON-SODUS AIRPORT TRANSPORTATION BOND ACT PROJECT**

Mr. Spickerman presented the following:

WHEREAS, the County of Wayne has received a request from the Williamson Flying Club, Inc., for the Williamson Sodus Airport, concerning the applicant's request for State grant funds under the NYS Transportation Bond Act for the following projects:

Under the General Aviation Airport Security Program

- Security Fence

Under the Business Airport Development Program

- Construction of Aircraft Hangar/BOCES Space

and

WHEREAS, the NYS Department of Transportation, under Section 14-1 of the State Transportation Law, requires that project applications made by privately owned airports be accompanied by a resolution from the governing body of the County in which the airport is located; now, therefore, be it

RESOLVED, that the County of Wayne endorses the projects identified above at the Williamson-Sodus Airport for the purpose of making the projects eligible for State funding; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary documents in connection with the projects; and be it further

RESOLVED, that this resolution shall take effect immediately.

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

**RESOLUTION NO. 92-07: AUTHORIZATION TO EXECUTE CONTRACT AND TO ACCEPT THE NEW YORK STATE DEPARTMENT OF ECONOMIC DEVELOPMENT EMPIRE ZONE ADMINISTRATIVE CONTRACT #T004346 FOR THE 2006 – 2007 FISCAL YEAR**

Mr. Spickerman presented the following:

WHEREAS, each year, New York State contracts with Wayne County to administer the Empire Zone, which authorizes funding from New York State; and

WHEREAS, the financial assistance is in the form of a grant for operating expenses and technical assistance incurred by the County in administering the Empire Zone Program and the amount for this year is \$15,000.00; and

WHEREAS, the County is required to match that amount and has provided \$37,758 in the calendar year 2006 and 2007 Budgets and in order to continue the Wayne County Empire Zone Program; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby accepts Contract #T004346 for the 2006 - 2007 Fiscal Year between Wayne County and the New York State Department of Economic Development for administration of the Empire Zones Program; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to execute the Contract and any other documents required for the approval and implementation of the Contract on behalf of the County of Wayne, subject to the County's Attorney's approval as to form and content; and be it further

RESOLVED, that the Wayne County Board of Supervisors hereby reaffirms the Continuing Agreement between the County, the Empire Zone Administrative Board and the Wayne County Industrial Development Agency dated April 22, 2003 for the Wayne County Industrial Development Agency to be the operating entity for the Empire Zone Program under guidelines approved by the State of New York.

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

**RESOLUTION NO. 93-07: 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 acquire 1.66 acres of land and a 48,000 square foot building now known as the Wayne County Department of Social Services, from Harmon Associates, LP and located on the south side of Water Street and the east side of Leach Road in the Village of Lyons (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, 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.

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

The Clerk read the scheduled Notice of Public Hearing at 9:15 a.m. as follows:

#### **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 22, 2007, 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 amending Local Law No. 2-1985 establishing the maximum exemption allowable

for the alternative veterans' exemption from real property taxation.

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

**SECTION 1.**

SECTION 1 OF LOCAL LAW NO. 2-1985 ESTABLISHING THE MAXIMUM EXEMPTION ALLOWABLE FOR THE ALTERNATIVE VETERANS EXEMPTION FROM REAL PROPERTY TAXATION IS HEREBY AMENDED TO READ AS FOLLOWS:

Section 1. The purpose of this law is to increase the Veterans exemption to those amounts allowable, pursuant to subdivisions 2-a, 2-b & 2-c of Section 458-a of the Real Property Tax Law of the State of New York.

**SECTION 2.**

SECTION 2 OF LOCAL LAW NO. 2-1985 ESTABLISHING THE MAXIMUM EXEMPTION ALLOWABLE FOR THE ALTERNATIVE VETERANS EXEMPTION FROM REAL PROPERTY TAXATION IS HEREBY AMENDED TO READ AS FOLLOWS:

Section 2. Pursuant to the provisions of subdivisions 2-a, 2-b & 2-c of Section 458-a of the Real Property Tax Law of the State of New York, the maximum veterans exemption from real property taxes allowable pursuant to Section 458-a of the Real Property Tax Law is established as follows:

- (a) Qualifying residential real property shall be exempt from taxation to the extent of fifteen percent of the assessed value of such property; provided, however, that such exemption shall not exceed twelve thousand dollars or the product of twelve thousand dollars multiplied by the latest state equalization rate for the assessing unit, or in the case of a special assessing unit, the latest class ratio, whichever is less.
- (b) In addition to the exemption provided by paragraph (a) of this subdivision, where the veteran served in a combat theatre or combat zone of operations, as documented by the award of a United State campaign ribbon or service medal, qualifying residential real property also shall be exempt from taxation to the extent of ten percent of the assessed value of such property provided, however, that such exemption shall not exceed eight thousand dollars or the product of eight thousand dollars multiplied by the latest state equalization rate for the assessing unit, or in the case of a special assessing unit, the class ratio, whichever is less.
- (c) In addition to the exemptions provided by paragraphs (a) and (b) of this subdivision, where the veteran received a compensation rating from the United States Veterans' Administration or from the United States Department of Defense because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by fifty percent of the veterans' disability rating; provided, however, that such exemption shall not exceed forty thousand dollars or the product of forty thousand dollars multiplied by the latest state equalization rate for the assessing unit, or in the case of a special assessing unit, the latest class ratio, whichever is less. For purposes of this paragraph, where a person who served in the active military, naval or air service during a period of war died in service of a service connected disability, such person shall be deemed to have been assigned a compensation rating of one hundred percent.

**SECTION 3.**

This local law shall take effect immediately upon the date it is filed in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law of the State of New York

Dated: January 19, 2007  
Lyons, New York

Sandra J. Sloane, Clerk  
Wayne County Board of Supervisors

The Chairman opened the floor for public comment.

After all interested persons were heard, Mr. Young moved, seconded by Mrs. Bender, that the public hearing be closed. Upon roll call, carried.

The Clerk read the second scheduled Notice of Public Hearing at 9:20 a.m. as follows:

**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 22, 2007, at 9:20 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 to provide a partial exemption from county real property taxes to qualified resident-applicants who are disabled in conformity with Section 459-c of the NYS Real Property Tax Law.

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

Section 1: Legislative Intent

The purpose of this local law is to provide partial relief from county real property taxes to qualified resident-applicants who are disabled. It is intended to accomplish this purpose in conformity with NYS Real Property Law Section 459-c, as amended.

Section 2: Legislative Authority

This local law is enacted pursuant to Section 459-c of the Real Property Tax Law.

Section 3: Partial Real Property Tax Exemption.

- a. Real property owned by one or more persons with disabilities, or real property owned by husband and wife, or both, or by siblings, at least one of whom has a disability or real property owned by one or more persons, some of whom qualify under this local law and Section 467 of the Real Property Tax Law and whose income, as hereafter defined, is limited by reason of such disability, shall be partially exempt from taxation to the extent provided in the following schedule:

Assessed	Percentage
<u>Annual Income</u>	<u>Valuation Exempt From Taxation</u>
\$13,500 or less	50 per centum
More than \$13,500, but less than \$14,500	45 per centum
\$14,500 or more, but less than \$15,500	40 per centum
\$15,500 or more, but	35 per centum

less than \$16,500	
\$16,500 or more, but less than \$17,400	30 per centum
\$17,400 or more, but less than \$18,300	25 per centum
\$18,300 or more, but less than \$19,200	20 per centum
\$19,200 or more, but less than \$20,100	15 per centum
\$20,100 or more, but less than \$21,000	10 per centum
\$21,000 or more, but less than \$21,900	5 per centum

- b. Any exemption provided herein shall be computed after all other partial exemptions allowed by law excluding the school tax relief (Star) exemption authorized by Section 425 of the Real Property Tax Law have been subtracted from the total amount assessed, provided, however, that no parcel may receive an exemption for the same municipal tax purpose pursuant to this local law and Section 467 of the Real Property Tax Law.

Section 4: Sibling Definition

For purpose of this local law "sibling" shall mean a brother or a sister, whether related through half-blood, whole-blood or adoption.

Section 5: Limitation of Exemption.

No exemption shall be granted:

- a. If the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of \$3,000.00, or such other sum not less than \$3,000.00, nor more than \$21,900.00 as may be provided by local law. Income tax year shall mean the twelve month period for which the owner or owners filed a federal personal income tax return, or if no such return is filed, the calendar year. Where title is vested in either the husband or the wife, their combined income may not exceed such sum, except where the husband or wife, or ex-husband or ex-wife is absent from the property due to divorce, legal separation or abandonment, then only the income of the spouse or ex-spouse residing on the property shall be considered and may not, exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital, gifts, inheritances or monies earned through employment in the federal foster grandparent program and any such income shall be offset by all medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance, pursuant to local law. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income:

- b. unless the property is used exclusively for residential purposes, provided, however, that in the event any portion of such property is not so used exclusively for residential purposes, but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section:
- c. unless the real property is the legal residence of and is occupied in whole or in part by the disabled person; except where the disabled person is absent from the residence while receiving health related care as an inpatient of a residential health care facility, as defined in Section 28001 of the Public Health Law, provided that any income accruing to that person shall be considered income for purposes of this section only to the extent that it exceeds the amount paid by such person or spouse or sibling of such person for care in the facility.

Section 6: Application.

Application for such exemption must be made annually by the owner, or all of the owners of the property, on forms prescribed by the state board and shall be filed in such assessor's office on or before the appropriate taxable status date. Provided, however, proof of a permanent disability need be submitted only in the year exemption pursuant to this local law as first sought or the disability is first determined to be permanent.

Section 7: Continuation; Review.

At least sixty days prior to the appropriate taxable status date, the assessor shall mail to each person who was granted exemption pursuant to this section on the latest completed assessment roll an application form and a notice that such application must be filed on or before the taxable status date and be approved in order for the exemption to continue to be granted. Failure to mail such application form or the failure of such person to receive any of the same shall not prevent the levy, collection and enforcement of the payment of the taxes on property owned by such person.

Section 8: Effective Date.

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.

Dated: January 19, 2007  
Lyons, New York

Sandra J. Sloane, Clerk  
Wayne County Board of Supervisors

**RESOLUTION NO. 94-07: AUTHORIZATION TO ESTABLISH CONTRACT OF AFFILIATION BETWEEN WAYNE BEHAVIORAL HEALTH NETWORK AND NEW YORK STATE COLLEGE AT BROCKPORT FOR GRADUATE STUDENTS FIELD INTERNSHIP EDUCATION**

Mr. Molino presented the following:

WHEREAS, Brockport State College, have established graduate and undergraduate educational programs in various Human Service related programs such Social Work, Nursing, Psychology, Counseling, etc. and as Brockport College desires to have certain students receive fieldwork experience at Wayne Behavioral Health Network; and

WHEREAS, Wayne Behavioral Health Network (WBHN) is willing to accept said students for such purposes from the State University of New York College at Brockport; and

WHEREAS, this arrangement is mutually beneficial to all parties, however more particular to WBHN, 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 and directed to execute a contract between the New York State College at Brockport and WBHN to establish and provide graduate students with fieldwork internships at WBHN.

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

**RESOLUTION NO. 95-07: AUTHORIZATION TO ENTER INTO LICENSING AGREEMENT WITH ABEL SCREENING, INC. AND PURCHASE SOFTWARE FOR ABEL II AND ABEL BLASINGAME FOR WAYNE BEHAVIORAL HEALTH NETWORK**

Mr. Molino presented the following:

WHEREAS, WBHN is providing assessment and treatment services for Sexual Offenders; and

WHEREAS, Abel Screening, Inc. provides state of the art, evidence-based, assessment tools in their software products, Abel II and Abel Blasingame, for this specific treatment population; and

WHEREAS, WBHN seeks to clinically utilize these assessment tools; now, therefore, be it

RESOLVED, that the WBHN and the Chairman of the Board is authorized to enter into lease agreement with Abel Screening, Inc. and purchase said software, subject to the County Attorney's review as to form and content.

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

**RESOLUTION NO. 96-07: AUTHORIZATION FOR WAYNE BEHAVIORAL HEALTH NETWORK TO CONTRACT WITH MICHAEL W. SCHANK TO PROVIDE POLYGRAPH SERVICES FOR THE SEXUAL OFFENDER EVALUATION AND TREATMENT SERVICES AT WBHN**

Mr. Molino presented the following:

WHEREAS, the Wayne County Department of Probation has a significant number of individuals on probation who have a history of sexual offenses; and

WHEREAS, it has been shown that providing empirically based sexual offender treatment to sexual offenders may help to reduce and/or eliminate the possibility of the offender having a re-offense; and

WHEREAS, the Probation Department would like to include formal sexual offender treatment as a condition of probation to some individuals on probation who have been convicted of sexual offenses; and

WHEREAS, polygraph services are an important part of the evaluation and treatment process, Wayne Behavioral Health Network would like to contract with Michael W. Schank who is certified and a locally known expert in providing this type of service, and is also currently under contract with the Wayne County Sheriffs Office; now, therefore, be it

RESOLVED, that the Director of Wayne Behavioral Health Network and the Chairman of the Wayne County Board of Supervisors is hereby authorized, pending County Attorney approval as to form and content, to contract with Michael W. Schank for the provision of polygraph services for sexual offender treatment services at Wayne Behavioral Health Network at a rate of \$250 per polygraph examination.

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

**RESOLUTION NO. 97-07: AUTHORIZATION TO INSTALL FOUR (4) ADDITIONAL VOICEMAIL BOXES FOR WAYNE BEHAVIORAL HEALTH NETWORK**

Mr. Molino presented the following:

WHEREAS, the Superintendent of Buildings and Grounds has provided cost information for the installation of four (4) additional voicemail boxes at a cost of \$2.50 for the Wayne Behavioral Health Network; now, therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to install (4) additional voicemail boxes at a cost of \$2.50 per box, in addition to their regular telephone charge.

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

**RESOLUTION NO. 98-07: AUTHORIZATION TO EXECUTE AGREEMENT WITH YATES COUNTY PUBLIC HEALTH FOR CORPORATE COMPLIANCE OFFICER AND INSERVICE COORDINATOR**

Mr. Molino presented the following:

WHEREAS, Wayne County Public Health wishes to renew its agreement with Yates County Public Health for the purpose of retaining a joint Corporate Compliance Officer and an In-service Coordinator as independent contractors and sharing the cost with the Say Rural Health Network partnership that includes Allegany, Steuben, Schuyler, Ontario, Seneca and Yates; and

WHEREAS, Wayne County Public Health's share is \$11,050 during the period of this contract; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute an agreement on behalf of Wayne County, subject to the County Attorney's approval as to form and content for the period January 1, 2007 to December 31, 2007.

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

**RESOLUTION NO. 99-07: AUTHORIZATION TO RENEW MEMBERSHIP FOR THE WAYNE COUNTY HEALTH SERVICES ADVISORY BOARD**

Mr. Molino presented the following:

WHEREAS, the terms have expired for Dr. Frank Edwards, James Haitz and Carol Countryman; and

WHEREAS, each has agreed to serve a second term on the Health Services Advisory Board; now, therefore, be it

RESOLVED, that Dr. Frank Edwards, James Haitz and Carol Countryman are hereby approved to serve a second term of office expiring 12/31/10.

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

**RESOLUTION NO. 100-07: AUTHORIZATION TO RENEW CONTRACT WITH NURSE PRACTITIONER**

Mr. Molino presented the following:

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

WHEREAS, services will be provided for not more than eight hours per week at a rate of \$45.32/hour, not to exceed \$10,222 per year; now, therefore, be it

RESOLVED, that the Chairman of the Board is hereby authorized to renew the contract with Janine Quinlan, Nurse Practitioner, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content for the period 4/1/07 to 3/31/08.

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

**RESOLUTION NO. 101-07: AUTHORIZATION TO EXECUTE CONTRACTS WITH PROVIDERS FOR SERVICES FOR CANCER SCREENING PARTNERSHIP**

Mr. Molino presented the following:

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

WHEREAS, the providers are willing to provide such services; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract with the following providers (see attached) on behalf of Wayne County Public Health Service, subject to the providers being currently in compliance with the County's insurance and the County Attorney's approval as to form and content for the period 4/1/07 to 3/31/08.

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

**RESOLUTION NO. 102-07: AUTHORIZATION TO EXECUTE CONTRACT WITH AGING AND YOUTH TO PROVIDE PART-TIME NURSING SERVICE FOR THE EISEP PROGRAM (EXTENDED IN-HOME SERVICE TO THE ELDERLY PROGRAM)**

Mr. Molino presented the following:

WHEREAS, Wayne County Department of Aging & Youth wished to contract with Wayne County Public Health Services to provide nursing service for the EISEP program for approximately seven (7) hours of RN services per week at a rate not to exceed \$10,000 as per Resolution No. 810-06, duly enacted on December 19, 2006; now, therefore, be it

RESOLVED, that the Public Health Director is hereby authorized to execute this contract for the period 1/1/07 to 12/31/07 subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 103-07: AUTHORIZATION TO PURCHASE AUTOMATIC EXTERNAL DEFIBRILLATOR CABINET FOR THE HEALTH SERVICES BUILDING**

Mr. Molino presented the following:

WHEREAS, an Automatic External Defibrillator (AED) was purchased for the Wayne County Health Services Building by the Wayne County Rural Health Network, to be stationed on the first floor adjacent to the stairs by the Main Entrance; and

WHEREAS, the Mental Health Dept., Aging & Youth Dept and Public Health Dept wish to purchase a cabinet from eMedco at PO Box 369, Buffalo, NY 14240, in which to store the AED; and

WHEREAS, the departments are willing to share the cost of this cabinet, now, therefore, be it

RESOLVED, that the Wayne County Public Health be authorized to purchase the AED cabinet on behalf of the Health Services Building departments for a total cost of \$236.79, and, further, be it

RESOLVED, that the addendum to the 2007 budget for 4010.52201 is modified to include the above cabinet and reduce the cost of computer equipment by \$237, which will not create a change to the budget.

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

Supervisor DeSanto added that the County should purchase more defibrillator units for county buildings to have readily available, if needed.

**RESOLUTION NO. 104-07: AUTHORIZATION TO AMEND CONTRACT WITH WAYNE ARC ROOSEVELT CHILDREN'S CENTER FOR RELATED SERVICES**

Mr. Molino presented the following:

WHEREAS, Wayne County Public Health currently has a contract with the Wayne ARC Roosevelt Children's Center to provide services for children with disabilities; and

WHEREAS, it was recently approved at a CPSE meeting to include Teacher Aide services for a child at a rate of \$10.00/1/2; and

WHEREAS, the child will receive this service five days a week from January 1 to June 30, 2007; now, therefore, be it

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

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

**RESOLUTION NO. 105-07: AUTHORIZING CONTRACTS WITH PROVIDERS FOR RELATED SERVICES FOR PRESCHOOL CHILDREN WITH HANDICAPPING CONDITIONS**

Mr. Molino presented the following:

WHEREAS, the County must contract for the provision of related services for preschool age children with handicapping conditions; now, therefore, be it

RESOLVED, pursuant to Section 4410 of the Education Law, that the Chairman of the Board of Supervisors is hereby authorized to execute contracts for the provision or related services for preschool children with handicapping conditions during the period 7/1/07 – 6/30/09 in accordance with the rates approved by the Public Health Committee of the Board of Supervisors as follows:

- Bateman Therapy Services d/b/a Building blocks Pediatric Therapy: speech therapy, occupational therapy, physical therapy, and psychological service at a cost of \$55/.5hr, and 1:1 aide service at a cost of \$18/hr.
- Bright Start Pediatric SLP and OT Services, PLLC: speech therapy, occupational therapy, and physical therapy at a cost of \$55/.5hr and group therapy (2 or more children) at a cost of \$40/hr/child.
- Communication Center for Hearing and Speech: speech therapy at a cost of \$55/.5hr, audiological service at a cost of \$55/.5hr.
- Continuing Developmental Services, Inc.: speech therapy at a cost of \$55/.5hr.; occupational therapy and physical therapy at a cost of \$55/.5hr.
- Diane D. Leitgeb d/b/a Clinical Associates of the Finger Lakes: speech therapy, occupational therapy, physical therapy, Audiology, and psychological service at a cost of \$55/.5hr for 1<sup>st</sup> hour, then \$42/.5hr after 1<sup>st</sup> hour, service coordination at a cost of \$45/.5hr, group therapy (up to 5 children) at a cost of \$35/.5hr, and 1:1 aide service at a cost of \$15/hr.
- Finger Lakes Hearing Center, Inc.: Audiological evaluation at a rate of \$160/session.
- Finger Lakes United Cerebral Palsy, Inc.: speech therapy, occupational therapy, physical therapy, social work service and assistive technology at a cost of \$55/.5hr., service coordination at a cost of \$30/.5hr, and paraprofessional aide at a cost of \$10/.5hr.
- Genesee Region Home Care Association, Inc.: RN service at a cost of \$35/hr and LPN service at a cost of \$29/hr.
- Interactive Therapy Group: therapy, and psychological service at a cost of \$55/.5hr, social work service at a cost of \$55/.5hr.
- Korpiel Physical Therapy, PC: speech therapy, occupational therapy, and physical therapy at a cost of \$55/.5hr.
- Mandel Therapy Group: speech therapy, occupational therapy, physical therapy, psychological service, and audiology at a cost of \$55/.5hr.
- Messineo-Cowles Speech Therapy, PC: speech therapy, occupational therapy, and physical therapy at a cost of \$55/.5hr.

- Occupational Therapy of Rochester, N.Y.: occupational therapy at a cost of \$55/.5hr.
- Partners in Speech: speech therapy at a cost of \$55/.5hr.
- Pediatric Physical Therapy Services, PLLC. Physical therapy at a cost of \$55/.5hr.
- Red Creek Agri-Business Child Development: 1:1 aide at a cost of \$15/hr.
- Rochester Hearing and Speech Center: speech therapy at a cost of \$55/.5hr.
- Seneca Cayuga Counties Chapter, NYS ARC, Inc.: Speech-, Occupational- and Physical Therapies, Psychological services at \$55/.5hr.
- Stepping Stones Learning Center: speech therapy, occupational therapy, physical therapy, psychological service, audiological service, music therapy, and social work service at a cost of \$55/.5hr, and paraprofessional aide at a cost of \$20/hr.
- Strong Center for Developmental Disabilities, U of R: Psychological services at a cost of \$50/.5hr.
- UCPA of Cayuga County, Inc. d/b/a E. John Gavras Center: speech therapy, occupational therapy, assistive technology at a cost of \$55/.5hr.
- United Cerebral Palsy Association of Rochester Area, Inc.: physical therapy, occupational therapy, and assistive technology at a cost of \$55/.5hr and speech therapy at a cost of \$55/.5hr.
- Upstate Music Therapy Center: music therapy at a cost of \$55/.5hr.
- Wayne County Chapter, N.Y.S. Association for Retarded Children: speech therapy, occupational therapy, physical therapy, vision therapy, music therapy, psychological service, and service coordination at a cost of \$55/.5hr and group therapy (2-5 children) at a cost of \$22.50/.5hr/child, and assistive technology at a cost of \$65/.5hr.
- Wayne County Action Program, Inc.: speech therapy at a cost of \$55/.5hr, group therapy (2-3 children) at a cost of \$63/.5hr.
- Wayne Finger Lakes BOCES: Vision, orientation, mobility therapy at a cost of \$92.13/hr.

Mr. Jenkins moved the adoption of the resolution. Seconded by Mr. DeSanto. Upon roll call, adopted.

**RESOLUTION NO. 106-07: AUTHORIZATION TO RECLASSIFY CIVIL SERVICE POSITION FOR PUBLIC HEALTH**

Mr. Molino presented the following:

WHEREAS, the agency has seen an increase in state mandated reporting needs; and

WHEREAS, an account clerk position has been responsible for senior level accounting duties due to shifting responsibilities in order to meet these needs; and

WHEREAS, this position was originally a Senior Account Clerk but was not filled due to budget cuts; now therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized and directed to reclassify the account clerk position as a Senior Account Clerk.

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

**RESOLUTION NO. 107-07: AUTHORIZATION TO AMEND RESOLUTION NO. 458-06: AUTHORIZATION TO AMEND RESOLUTION # 202-06 FOR SUBMISSION OF BUDGET AND WORK PLAN WITH NEW YORK STATE DEPARTMENT OF HEALTH FOR LEAD PREVENTION GRANT FUNDS**

Mr. Molino presented the following:

WHEREAS, the NYSDOH has included a cost of living adjustment (COLA) in the amount of \$420 to our contract number C-020639 dated 4/1/06 – 3/31/07, in the amount of \$30,000; and

WHEREAS, the contract amendment requires an agreement and COLA certification be signed; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign the amended agreement and COLA certification.

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

**RESOLUTION NO. 108-07: TRANSFER OF FUNDS FOR VARIOUS COUNTY DEPARTMENTS**

Mr. Colvin presented the following:

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

**Account No. A1420 - County Attorney**

\$8,000 from A1990.4000 (Contingent Fund General-Contractual) to A1420.4486 (County Attorney-Union Contracts)

**Account No. A4300 - Wayne Behavioral Health Network**

Revenues:

A43000.44469.M8200 MH Salary Sharing from \$86,957 to \$87,038

Expenses:

A43002.52300.M5220 Motor Vehicles from \$12,000 to \$12,027

A43002.52300.M5420 Motor Vehicles from \$12,000 to \$12,054

**Account No. A1990-CONTINGENT ACCOUNT**

\$5,000.00 from .54000 (Contractual Expenses)

**Account No. A1010-LEGISLATIVE BOARD**

\$5,000.00 to .54199 (Misc Expense)

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

**RESOLUTION NO. 109-07: AUTHORIZATION TO PURCHASE EQUIPMENT AND FURNISHINGS FOR CERTAIN COUNTY DEPARTMENTS**

Mr. Colvin presented the following:

RESOLVED, that the following Department Heads are hereby authorized to purchase the following furnishings and equipment from state bid contract or best quotes according to the County's regulations and policies for purchasing and bidding:

**Director of Mental Health**

7000222	20 – Additional Anasazi Licenses	\$2,740.00
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**Public Defender**

7000000	10 - Concurrent License upgrade PDCMS Database	\$1,430.00
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**E911 Coordinator**

7000000	1 – Motorola Canopy Wireless Link	\$11,284.00
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Mr. Plant moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

**RESOLUTION NO. 110-07: AUTHORIZATION TO EXECUTE CONTRACT RENEWALS FOR MUNIS SOFTWARE AND OPERATING SYSTEM AND DATABASE ADMINISTRATION**

Mr. Colvin presented the following:

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

software & for Operating System & Database Administration, to be payable from Account No. A1680.54475 (Information Technology-Software) as follows:

1. MUNIS Software for contract period starting March 17, 2007 to March 16, 2008 at a cost not to exceed \$95,212.96
2. Operating System & Database Administration for contract period starting March 17, 2007 to March 16, 2008 at a cost not to exceed \$22,680.00.

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

**RESOLUTION NO. 111-07: DESIGNATION OF LYONS NATIONAL BANK AS DEPOSITORY FOR FUNDS FOR THE COUNTY OF WAYNE AND AUTHORIZATION FOR THOMAS WARNICK, WAYNE COUNTY TREASURER, AND JODY BORNHEIMER, DEPUTY TREASURER, TO CONDUCT FINANCIAL TRANSACTIONS**

Mr. Colvin presented the following:

RESOLVED, that the Lyons National Bank at any one or more of its offices or branches, be and it hereby is designated as a depository for the funds of this Entity, which may be withdrawn on checks, drafts, advices of debit, notes or other orders for the payment of monies bearing the following appropriate number of signatures: Any one (1) of the following named officers or employees of this Entity ("Agents"):

- Jody Bornheimer, Deputy Treasurer of County of Wayne
- Thomas Warnick, Treasurer of County of Wayne

and that the Financial Institution shall be and is authorized to honor and pay the same whether or not they are payable to bearer or to the individual order of any Agent of Agents signing the same; and be it further

RESOLVED, that the Financial Institution is hereby directed to accept and pay without further inquiry any item drawn against any of the Entity's accounts with the Financial Institution bearing the signature of signatures of Agents, as authorized above or otherwise, even though drawn or endorsed to the order of any Agent signing or tendered by such Agent for cashing or in payment of the individual obligation of such Agent of for deposit to the Agent's personal account, and the Financial Institution shall not be required or be under any obligation to inquire as to the circumstances of the issue or use of any item signed in accordance with the resolutions contained herein, or the application or disposition of such item or the proceeds of the item; and be it further

RESOLVED, that any one of such Agents is authorized to endorse all checks, drafts, notes and other payable to or owned by this Entity for deposit with the Financial Institution, or for collection or discount by the Financial Institution; and to accept drafts and other items payable at the Financial Institution; and be it further

RESOLVED, that the above named agents are authorized and empowered to execute such other agreements, including, but not limited to, special depository agreements and arrangements, regarding the manner, conditions, or purposes for which funds, checks, or items of the Entity may be deposited, collected, or withdrawn and to perform such other acts as they deem reasonably necessary to carry out the provisions of these resolutions. The other agreements and other acts may not be contrary to the provisions in this Resolution; and be it further

RESOLVED, that the authority hereby conferred upon the above named Agents shall be and remain in full force and effect until written notice of any amendment or revocation thereof shall have been delivered to and received by the Financial Institution at each location where an account is maintained. Financial Institution shall be indemnified and held harmless from any loss suffered or any liability incurred by it in continuing to act in accordance with this resolution. Any such notice shall not affect any items in process at the time notice is given.

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

**RESOLUTION NO. 112-07: AUTHORIZATION FOR COUNTY TREASURER TO DISBURSE**

**SURPLUS DOG LICENSE FEES**

Mr. Colvin 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, 2006 to December 31, 2006; and

WHEREAS, said report shows the amount of \$12,989.08 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

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

**RESOLUTION NO. 113-07: AUTHORIZING COUNTY TREASURER TO REINSTATE PROPERTY OF DARRELL HOGAN ON THE TAX ROLL**

Mr. Colvin presented the following:

WHEREAS, pursuant to Resolution No. 127-04 duly adopted by the Wayne County Board of Supervisors on February 19, 2004, said Board of Supervisors determined that there was no practical method to enforce the collection of delinquent tax liens on property owned by Darrell Hogan, Tax ID #70111-15-733484 (Centroid #38111-15-709478), located at 60 State Route in the Village of Lyons and that supplementary proceedings to collect said tax would not be effective; and

WHEREAS, pursuant to said resolution a Certificate of Cancellation was issued by the Wayne County Treasurer on February 24, 2004 which had the effect of canceling the outstanding delinquent tax liens; and

WHEREAS, pursuant to said resolution the Wayne County Board of Supervisors decided there was no practical method to enforce the collection of any future taxes and directed the Wayne County Treasurer to file a Certificate of Prospective Cancellation; and

WHEREAS, the Wayne County Treasurer issued a Certificate of Prospective Cancellation on February 25, 2004 and said certificate was filed with the assessor of the assessing unit in which the parcel was located and the Director of the Real Property Tax Services; and

WHEREAS, the State of New York remediated the environmental concerns regarding said parcel; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors makes the following determination: The property owned by Darrell Hogan, Tax ID #70111-15-733484 (Centroid #38111-15-709478), located at 60 State Route in the Village of Lyons shall be restored to the taxable assessment roll for the reason that if the County of Wayne should acquire said parcel, there would be no significant risk that it might be exposed to liability substantially in excess of the amount that could be recovered by enforcing the tax lien; and be it further

RESOLVED, that the Wayne County Treasurer shall file a Certificate of Restoration setting forth relevant facts with the assessor of the assessing unit of the town in which said parcel is located and the Director of the Real Property Tax Services.

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

**RESOLUTION NO. 114-07: CONCUR WITH COUNTY TREASURER'S RECOMMENDATION TO WITHDRAW ELMER STREET PROPERTY IN THE VILLAGE OF LYONS FROM FORECLOSURE PROCESS**

Mr. Colvin 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 located on Elmer Street in the Village of Lyons (New

Tax Id: 71111-13-185449) 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. Lyon moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

**RESOLUTION NO. 115-07: AUTHORIZATION TO SUBMIT REQUESTS FOR PROPOSALS (RFP) TO BUILD A WIRELESS NETWORK FOR COUNTY USE**

Mr. Colvin presented the following:

WHEREAS, there is a need to build a wireless network between County Building #04 (16 William Street - IT Department) and Sheriff's Department with an ISP Connection for Remote Access for the ability to provide a backup connection between locations for both production use and for Disaster Recovery Preparedness; now, therefore, be it

RESOLVED, that the Director of Information Technology is hereby authorized and directed to prepare and distribute a Request for Proposals for a wireless network between County Building #04 (16 William Street - IT Department) and Sheriff's Department with an ISP connection for remote access; and be it further

RESOLVED, that the Director of Information Technology shall review proposals and present a recommendation to the standing committee and the Board of Supervisors for approval.

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

Chairman Hoffman requested that the Board recess for certain Standing Committees to meet.

**RESOLUTION NO. 116-07: AUTHORIZATION TO EXECUTE CONTRACT WITH ROCHESTER GENESEE REGIONAL TRANSPORTATION AUTHORITY AND WATS TO PROVIDE TRANSPORTATION SERVICES (RESCIND RESOLUTION NO. 587-06)**

Mr. Plant presented the following:

WHEREAS, Resolution No. 587-06 authorized a contract with the Rochester Genesee Regional Transportation Authority (RGRTA) for the Wayne Area Transportation System (WATS) to provide an on-demand transportation service; and

WHEREAS, the timeframe of that resolution was 10/1/06 – 3/31/07 for an amount not to exceed \$50,760; and

WHEREAS, Wayne County DSS has negotiated an agreement with RGRTA for the timeframe of 10/1/06 –12/31/07 in which Wayne County DSS would pay \$4230/month for 10/1/06 – 12/31/06, and then \$10,431/month for 4/1/07 – 12/31/07; and

WHEREAS, such an agreement would provide an integral and necessary service to keep participation rates up, now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into a contract with RGRTA/WATS to provide an on demand transportation service during the timeframe 10/1/06 – 12/31/07 at a total not to exceed \$106,569; and be it further

RESOLVED, that Resolution No. 587-06 is hereby rescinded.

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

**RESOLUTION NO. 117-07: AUTHORIZATION FOR DEPARTMENT OF SOCIAL SERVICES COMMISSIONER TO SIGN NEW YORK STATE OTDA MEMORANDUM OF UNDERSTANDING (MOU) FOR THE STATE OF NEW YORK IMAGING PROJECT (I/EDR)**

Mr. Plant presented the following:

WHEREAS, the New York State Office of Temporary and Disability Assistance (OTDA) is moving toward having all social services records converted to digital form; and

WHEREAS, the New York State OTDA is willing to pay for the first year's imaging costs, including all open cases and those opened during the first year; and

WHEREAS, counties not opting to enter into a Memorandum of Understanding (MOU) will not receive the above incentives; now, therefore, be it

RESOLVED, that the Wayne County Commissioner of Social Services is hereby authorized to enter into an agreement with the New York State OTDA for the purposes of participating in the Imaging and Document Repository (I/EDR) Project.

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

**RESOLUTION NO. 118-07: AUTHORIZATION TO EXECUTE AGREEMENT BETWEEN WAYNE COUNTY NURSING HOME AND GROUP WORKCAMP FOUNDATION – 2007 WEEK OF HOPE PARTNER ORGANIZATION**

Mr. Plant presented the following:

WHEREAS, Wayne County Nursing Home desires to enter in agreement with Group Workcamps Foundation for volunteering services; and

WHEREAS, the Group Workcamps Foundation 2007 Week of Hope Partner Organization provides volunteers for service projects and; and

WHEREAS, the Wayne County Nursing Home residents enjoy the interaction with the young volunteers from around the country that participate in this program; and

WHEREAS, the Wayne County Nursing Home desires to utilize volunteers for gardening and landscape projects for six weeks beginning June 18, 2007 and ending August 2, 2007; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement, subject to the County Attorney's approval as to form and content, with Group Workcamps Foundation for volunteering services, beginning June 18, 2007 and ending August 2, 2007.

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

**STATEMENT UNDER ARTICLE 6 OF THE HIGHWAY LAW BY THE COUNTY SUPERINTENDENT OF WAYNE COUNTY IN RELATION TO "COUNTY ROAD FUND" MONEYS**

To the Board of Supervisors of Wayne County:

Following is a statement of roads, on the map showing the county road system for Wayne County prepared and filed by me in accordance with Section 115 of the Highway Law, proposed to be constructed or reconstructed with moneys from the County Road Fund, during the year 2007, namely:

SUPPLEMENTAL PROJECT 0260 – (A.K.A. 52660) Walworth Road Project, CR 208-Town of Walworth

SUPPLEMENTAL APPROPRIATION - \$325,000

This project will consist of rehabilitating the existing pavement by milling and repaving 0.4 miles of Walworth Road, CR 208, in the Town of Walworth, between the end of the 2006 project and Sherburne Road intersection.

The finished travel lane width will be 22 ft. while the shoulders will be widened to meet the current standard of 6 ft. on each side, creating 28 ft. of total pavement. Extensive drainage improvements will still be necessary including under-drain piping, storm drain, concrete gutters, culverts and relocating roadside ditching.

Original Project Statement adopted – Res. No. 217-07  
Supplemental Project Statement adopted – Res. No. 654-04  
Supplemental Project Statement adopted – Res. No. 1050-04  
Supplemental Project Statement adopted – Res. No. 222-05

Estimated Cost of Project No. 02-06      \$325,000.00

This statement, executed by me in triplicate is submitted for approval as required by Article 6 of the Highway Law, and copies filed in the Offices of the Superintendent of Highways, Board of Supervisors, and the County Treasurer.

Dated: 2/5/07

James P. Brady, County Superintendent

**STATEMENT UNDER ARTICLE 6 OF THE HIGHWAY LAW BY THE COUNTY SUPERINTENDENT OF WAYNE COUNTY IN RELATION TO "COUNTY ROAD FUND" MONEYS**

To the Board of Supervisors of Wayne County:

Following is a statement of roads, on the map showing the county road system for Wayne County prepared and filed by me in accordance with Section 115 of the Highway Law, proposed to be constructed or reconstructed with moneys from the County Road Fund, during the year 2007, namely:

PROJECT 0785 – (A.K.A. 52685) Miscellaneous Culvert project – Towns of Huron and Galen

This project will consist of replacing three (3) deteriorated culverts on the following county roads: Lyons Marengo Road, Kelsey Road and Ridge Road. Bank stabilization, safety improvements and road repaving will also be completed.

Estimated Cost of Project No. 0785      \$250,000.00

This statement, executed by me in triplicate is submitted for approval as required by Article 6 of the Highway Law, and copies filed in the Offices of the Superintendent of Highways, Board of Supervisors, and the County Treasurer.

Dated: 2/5/07

James P. Brady, County Superintendent

**STATEMENT UNDER ARTICLE 6 OF THE HIGHWAY LAW BY THE COUNTY SUPERINTENDENT OF WAYNE COUNTY IN RELATION TO "COUNTY ROAD FUND" MONEYS**

To the Board of Supervisors of Wayne County:

Following is a statement of roads, on the map showing the county road system for Wayne County prepared and filed by me in accordance with Section 115 of the Highway Law, proposed to be constructed or reconstructed with moneys from the County Road Fund, during the year 2007, namely:

SUPPLEMENTAL PROJECT 0572 – (A.K.A. 52672) ADERMAN ROAD PROJECT, CR 312 – TOWN OF MACEDON

SUPPLEMENTAL APPROPRIATION - \$430,000

This project will consist of rehabilitating the existing pavement by milling and repaving 2 miles of Alderman Road, CR 312, in the Town of Macedon, between the Ontario County Line and a point of 1,000 ft. north of Creek Road.

The finished travel lane width will be 24 ft. while the shoulders will be widened to meet the current standard of 5 ft. on each side, creating 34 ft. of total pavement. Some drainage improvements will still be necessary including under-drain piping, driveway culverts and relocating roadside ditching.

Original Project Statement adopted - Res. No. 222-05

Supplemental Project Statement adopted - Res. No. 143-06

Estimated Cost of Project No. 0785      \$430,000

This statement, executed by me in triplicate is submitted for approval as required by Article 6 of the Highway Law, and copies filed in the Offices of the Superintendent of Highways, Board of Supervisors, and the County Treasurer.

Dated: 2/5/07

James P. Brady, County Superintendent

**STATEMENT UNDER ARTICLE 6 OF THE HIGHWAY LAW BY THE COUNTY SUPERINTENDENT OF WAYNE COUNTY IN RELATION TO "COUNTY ROAD FUND" MONEYS**

To the Board of Supervisors of Wayne County:

Following is a statement of roads, on the map showing the county road system for Wayne County prepared and filed by me in accordance with Section 115 of the Highway Law, proposed to be constructed or reconstructed with moneys from the County Road Fund, during the year 2007, namely:

SUPPLEMENTAL PROJECT 0684 - (A.K.A. 52684) North Wayneport Road Project - CR 206 - Town of Macedon

SUPPLEMENTAL APPROPRIATION - \$295,000

This project will consist of rehabilitating the existing pavement by milling and repaving 0.5 miles of North Wayneport Road, CR 206, in the Town of Macedon, between NYS Route 31 and the Wal-Mart entrance on Wayneport Road, CR 206. The finished travel lane width will be 22 ft. while the shoulders will be widened to meet the current standard of 6 ft. on each side, creating 28 ft. of total pavement. Extensive drainage improvements will still be necessary including under-drain piping, storm drain, concrete gutters, culverts and relocating roadside ditching. Turning lanes will be installed to eliminate traffic congestion. This project will be completed by a private contractor.

Original project statement adopted - Res. No. 446-06

Estimated Cost of Project No. 0785      \$295,000.00

This statement, executed by me in triplicate is submitted for approval as required by Article 6 of the Highway Law, and copies filed in the Offices of the Superintendent of Highways, Board of Supervisors, and the County Treasurer.

Dated: 2/5/07

James P. Brady, County Superintendent

**RESOLUTION NO. 119-07: AUTHORIZATION TO APPROVE 2007 HIGHWAY CONSTRUCTION PROJECT STATEMENTS AND SUPPLEMENTAL PROJECT STATEMENTS AND APPROPRIATE FUNDS**

Mr. Lyon presented the following:

WHEREAS, in accordance with Section 115 of the Highway Law, the Superintendent of Highways has prepared project statement of proposed work for the following project:

07-85	Misc. Culvert Project	Town of Galen & Huron	\$250,000
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and supplemental project statements of proposed work for the following project:

02-60	Walworth Road Project	Town of Walworth	\$325,000
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05-72	Alderman Road Project	Town of Macedon	\$430,000
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06-84	North Wayneport Road	Town of Macedon	\$295,000
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now, therefore, be it

RESOLVED, that the Project Statements prepared by the Superintendent of Highways are hereby approved by the Board of Supervisors, and the Chairman of the Board and the Clerk of the Board are hereby authorized and directed to endorse such approval on the Project Statements; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to create line items and transfer funds as listed below from Account No. D5112.2600 (Road Construction – Highway Construction) to the following accounts:

\$250,000 to D51122.52685 (Road Construction – Misc. Culvert Project)

\$325,000 to D51122.52660 (Road Construction – Walworth Road Project)

\$430,000 to D51122.52672 (Road Construction – Alderman Road Project)

\$295,000 to D51122.52683 (Road Construction – North Wayneport Road Project).

Mr. Colvin moved the adoption of the resolution. Seconded by Mr. Jenkins. Upon roll call, adopted.

**RESOLUTION NO. 120-07: AUTHORIZING THE IMPLEMENTATION AND FUNDING OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT**

Mr. Lyon presented the following:

WHEREAS, the Wayne County Sign Project has been identified for survey and replacement of signs at an estimated cost of \$275,000 in which Marchiselli funds will be utilized; and

WHEREAS, the initial phase is the design and survey of the project; 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 Wayne County, subject to the County Attorney's approval, with Lu Engineering for the design & engineering of sign inventory at a cost not to exceed \$275,000; and be it further

RESOLVED, that federal Marchiselli funds will be utilized with the local share of the funds for the design and engineering phase be funded from CHIPS.

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

**RESOLUTION NO. 121-07: AUTHORIZATION TO ADVERTISE AND FILL ASSISTANT HIGHWAY SUPERINTENDENT POSITION AND SET SALARY FOR THE HIGHWAY DEPARTMENT**

Mr. Lyon presented the following:

RESOLVED, that the Superintendent of Highways is hereby authorized to advertise for the position of Assistant Highway Superintendent; and be it further

RESOLVED, that the Superintendent of Highways is hereby authorized to fill said position at an annual salary of 60,000-\$70,000.

Mr. Colvin moved the adoption of the resolution. Seconded by Mr. Fabino.

There was discussion as to the title of the proposed position and a request for clarification.

Upon roll call, all Supervisors voted Aye, except Supervisor Hammond who voted Nay. Absent – Supervisor Park. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 122-07: AUTHORIZATION TO AMEND RESOLUTION NO. 710-06; AMENDING RESOLUTION NO. 586-06: AUTHORIZATION TO ACQUIRE PARCELS FOR THE ALDERMAN PROJECT**

Mr. Lyon presented the following:

RESOLVED, that Resolution No. 710-06 is hereby amended to read as follows:

“RESOLVED, that the County of Wayne is hereby authorized and directed to acquire permanent easements regarding the following parcels; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute any documents, subject to the County Attorney’s approval, for the Alderman Road Project (D51122.5672):

David J. & Susan Langenfeld	\$1,700
Robin Lee Huls	\$ 250
Robert F. Mannix & Joann Mannix	\$ 250
Christie Ann Morrison	\$ 250
Molly C. Kelly	\$ 700
John G. Regis & Sue Ann Regis	\$ 800
Ronald J. Santovito & Paxe Marianne A.	\$1,600
William Dallas Dickinson	\$1,800
Charles Rainbow	\$3,100
William L. House	\$1,500
Lucille A. Jordan	\$ 250”

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

**RESOLUTION NO. 123-07: AUTHORIZATION TO AMEND RESOLUTION NO. 529-06: AUTHORIZATION TO ACQUIRE PERMANENT EASEMENTS FOR PARCELS FOR THE ERIE STREET PROJECT**

Mr. Lyon presented the following:

RESOLVED, that Resolution No. 529-06 is hereby amended to read as follows:

“RESOLVED, that the County of Wayne is hereby authorized and directed to acquire permanent easements regarding the following parcels; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute any documents, subject to the County Attorney’s approval, for the Erie Street Bridge Project (D51122.52979):

John J. Ceravolo	\$2,925
Richard Preston	\$ 250
Taylor Living Trust	\$ 250
Lindsay N. Salatino	\$2,125
Rerob, LLC	\$1,950
ReRob, LLC	\$3,500

Kevin Nassar & Nanci Nassar **and/or** HSBC/MERS, the name of the financial institution involved for \$5,450.”

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

**RESOLUTION NO. 124-07: APPOINTMENT OF JAMIE YOUNG AS DIRECTOR OF VETERANS SERVICES AGENCY**

Mr. Young presented the following:

WHEREAS, the Veterans Committee of the Board of Supervisors has reviewed applications received based upon the advertisement for a Director of Veterans Service Agency; and

WHEREAS, the Committee interviewed all the candidates who applied for the position; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors hereby appoints Ms. Jamie S. Young, 82 Catherine Street, Lyons, New York 14489 to the position of Director of Veterans Service Agency at a salary of \$11,330.00 per year.

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

Supervisor Young congratulated Jamie Young as the newly appointed Director of Veterans' Services to Wayne County. Ms. Young thanked the Board for being selected and is looking forward to working with everyone for the benefit of our Veterans.

**RESOLUTION NO. 125-07: AUTHORIZATION TO APPOINT MACHINE CUSTODIANS FOR BOARD OF ELECTIONS**

Mr. Young presented the following:

RESOLVED, that the Election Commissioners are hereby authorized to appoint two (2) machine custodians from each town in Wayne County to be paid \$50 per person, per machine, per election held for the county; and be it further

RESOLVED, that such payment will be paid from Account No. A1450.4421 (Election Expense).

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

**RESOLUTION NO. 126-07: AUTHORIZATION TO EXECUTE AGREEMENT WITH NTS DATA SERVICES FOR BOARD OF ELECTIONS**

Mr. Young presented the following:

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 NTS Data Services at a cost for services not to exceed \$10,235 to be expended from Account No. A1450.4424 (Maintenance Contract) for the contract period January 1, 2007 through December 31, 2007.

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

**RESOLUTION NO. 127-07: AUTHORIZATION TO EXECUTE AGREEMENT WITH NTS DATA SERVICES FOR MAIL CHECK PROCESSING FOR BOARD OF ELECTIONS**

Mr. Young presented the following:

WHEREAS, a postcard must be sent to each active voter (approximately 54,000) to verify information in regard to voting; and

WHEREAS, 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

WHEREAS, 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 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 NTS Data Services at a cost for services not to exceed \$4,000 to be expended from Account No. A1450.4421 (Election Expense) plus postage at a cost not to exceed \$12,000 to be expended from Account No.

A1450.4166 (Postage Expense).

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

**RESOLUTION NO. 128-07: AUTHORIZATION TO APPOINT ELECTION INSPECTORS FOR NURSING HOMES FOR THE BOARD OF ELECTIONS**

Mr. Young presented the following:

WHEREAS, pursuant to Election Law 8-407, the Board of Elections is mandated to send two (2) inspectors (one Republican and one Democrat) to nursing homes in the Wayne County area to assist residents in casting their ballots for voting; now, therefore, be it

RESOLVED, that the Election Commissioners are hereby authorized to appoint two (2) inspectors (one Republican and one Democrat) to nursing homes in the Wayne County area to assist residents in casting their ballots for voting; and be it further

RESOLVED, that said election inspectors are to be paid a rate of \$7.50 per hour, plus their mileage expenses, to be expended from Account No. A1450.4421 (Election Expense).

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

**RESOLUTION NO. 129-07: AUTHORIZATION TO APPOINT COUNTY CUSTODIAN FOR BOARD OF ELECTIONS**

Mr. Young presented the following:

RESOLVED, that the Board of Election Commissioners are hereby authorized to appoint a County Custodian to instruct other Custodians on proper setup and repair of voting machines and provide assistance at the time of the Primary Election and the General Election of 2007, including re-canvassing of the voting machines; and be it further

RESOLVED, that the Commissioners of the Board of Elections are hereby authorized to pay a County Custodian \$200.00 per election, plus mileage expenses, to be paid out of Account No. A1450.4421 (Election Expense) at a cost of \$200 plus mileage expenses.

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

**RESOLUTION NO. 130-07: AUTHORIZATION TO APPOINT PERSONNEL FOR TAKING PHONE TALLIES ON ELECTION NIGHT FOR THE BOARD OF ELECTIONS FOR THE YEAR 2007**

Mr. Young presented the following:

RESOLVED, that the Wayne County Board of Elections is hereby authorized to appoint six to eight people to take tallies by phone on election night for the 2007 November General Election, at a rate of \$30 per individual, at a total cost not to exceed \$240; and be it further

RESOLVED, that the expenses shall be expended from Account No. A1450.4421 (Election Expense).

Mr. LeRoy moved the adoption of the resolution. Seconded by Mr. Fabino.

Mr. Jenkins moved, seconded by Mr. Fabino, that the first "RESOLVED" clause in Resolution No. 130-07 be amended to read as follows:

"RESOLVED, that the Wayne County Board of Elections is hereby authorized to appoint six to eight people to take tallies by phone on election night for the 2007 November General Election and September Primary, if needed, at a rate of \$30 per individual, at a total cost not to exceed \$240; and be it further"

Upon roll call to amend the resolution, all Supervisors voted Aye, except Supervisors Hammond, Lyon and Plant who voted Nay. The Chairman declared the motion carried.

Upon roll call on the amended resolution, all Supervisors voted Aye, except Supervisors DeSanto, Hammond, Lyon and Plant who voted Nay. Absent – Supervisor Park. The Chairman

declared the Resolution adopted.

**RESOLUTION NO. 131-07: ESTABLISH SCHEDULE OF MAINTENANCE CHARGES FOR THE BUILDINGS AND GROUNDS DEPARTMENT FOR THE YEAR 2007**

Mr. Fabino presented the following:

RESOLVED, that the following schedule of maintenance charges for the Buildings and Grounds Department is hereby established for the budget year 2007; and be it further

RESOLVED, that these charges will remain in effect with no changes throughout the 2007 budget year.

<b>TITLE</b>	<b>RATE/HR</b>	<b>OVT RATE</b>
Maint. Foreman	\$38.00	\$48.35
Sr. Maint. Mech. 1	\$32.65	\$40.32
Sr. Maint. Mech. 2	\$35.41	\$44.46
Bldg. Maint. Mech. 1	\$29.60	\$35.75
Bldg. Maint. Mech. 2	\$34.25	\$42.73
Bldg. Maint. Mech. 3	\$35.28	\$44.26
Bldg. Maint. Mech. 4	\$29.60	\$35.75
Working Foreman	\$32.55	\$40.17
Maint. Mech. 1	\$33.62	\$41.77
Maint. Mech. 2	\$28.02	\$33.37
Maint. Mech. 3	\$32.29	\$39.78
Maint. Mech. 4	\$31.15	\$38.07
Maint. Mech. 5	\$30.64	\$37.31
Maint. Worker 1	\$31.26	\$38.24
Maint. Worker 2	\$24.55	\$28.17
Maint. Worker 3	\$30.28	\$36.77
Maint. Worker 4	\$21.21	\$23.17
Maint. Worker 5	\$26.99	\$31.83
Maint. Worker 6	\$30.27	\$36.76
Maint. Worker 7	\$24.50	\$36.76
Maint. Worker 8	\$24.94	\$28.76
Maint. Worker 9	\$24.15	\$36.22
Sr. Cleaner 1	\$23.48	\$35.23
Sr. Cleaner 2	\$29.72	\$35.92
Sr. Cleaner 3	\$26.22	\$39.33
Cleaner 1	\$27.65	\$32.83
Cleaner 2	\$28.86	\$34.64
Cleaner 3	\$26.98	\$40.47
Cleaner 4	\$26.62	\$39.94
Cleaner P.T 1	\$11.83	\$17.74
Cleaner P.T 2	\$17.60	\$17.74
Cleaner P.T 3	\$17.60	\$17.74
Cleaner P.T 4	\$18.58	\$19.22
Cleaner P.T 5	\$17.60	\$17.74
Cleaner P.T 6	\$9.94	\$14.91
Cleaner P.T 7	\$11.83	\$17.74

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

**RESOLUTION NO. 132-07: AUTHORIZATION TO EXECUTE CONTRACT WITH JEMCO WATER TREATMENT SERVICES FOR WAYNE COUNTY BUILDINGS AND GROUNDS DEPARTMENT**

Mr. Fabino presented the following:

WHEREAS, the current agreement with Jemco Water Treatment Services, Inc. has

expired; and

WHEREAS, the services that they provide are critical to the safe and efficient operation of numerous cooling towers and boilers throughout the county; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract with Jemco Water Treatment Services, Inc., subject to form and content by the County Attorney for a three year period from January 1, 2007 to December 31, 2009 at an annual cost of \$9,800.00 for the following services:

Court House	2 - Cooling towers	\$ 1,800.00
Health Services Building	1 - Cooling Tower	\$ 1,900.00
New Nursing Home	1 - Cooling Tower	\$ 1,800.00
COB #0006	2 - Steam Boilers	\$ 3,000.00
Social Services	1 - Cooling Tower	\$ 1,300.00

Mr. Colvin moved the adoption of the resolution. Seconded by Mrs. Collier.

There was discussion regarding the Nursing Home cooling tower as to the need to include it within this contract as it may still be covered under warranty.

Mr. Fabino moved, seconded by Mr. Lyon, that Resolution No. 132-07 be amended to remove the following: "New Nursing Home 1 - Cooling Tower \$ 1,800.00".

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

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

**RESOLUTION NO. 133-07: AUTHORIZATION TO CONTRACT WITH REYNOLDS AUCTION CO. FOR THE SALE OF SURPLUS KITCHEN EQUIPMENT**

Mr. Fabino presented the following:

WHEREAS, Reynolds Auction Co., has reviewed and made recommendations for the sale of various surplus kitchen equipment items from our Old Nursing Home Facility; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract with the Reynolds Auction Co., subject to approval by the County Attorney as to form and content, for the purpose of conducting an auction for the sale of surplus kitchen equipment; and be it further

RESOLVED, that Wayne County will pay for all related advertising as recommended by Reynolds Auction Co. at a cost not to exceed \$1,000.00.

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

**RESOLUTION NO. 134-07: AUTHORIZATION TO APPROVE A CHANGE ORDER FROM NICOLETTA CONSTRUCTION FOR THE GENERAL CONSTRUCTION OF THE SODUS POINT PARK IMPROVEMENTS PROJECT**

Mr. Fabino presented the following:

WHEREAS, pursuant to Resolution No. 568-06, the Wayne County Board of Supervisors awarded the bid to Nicoletta Building Construction for the General Construction of the Sodus Point Park Improvements Project; and

WHEREAS, Nicoletta Building Construction has submitted a request for a Change Order, as per the terms of the Contract, as follows:

1. In lieu of not providing the exposed aggregate sidewalk finishes, contractor will supply One (1) piece of Corrugated Metal Pipe (CMP)\$000.00
2. Credit for the change of a 2 inch Copper Water Line to Plastic\$1,500.00 Credit

and

WHEREAS, said change orders have been reviewed and approved by the Buildings and Grounds Committee, Bergmann Associates and the Village of Sodus Point; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute the following change order:

<u>CONTRACTOR</u>	<u>AMOUNT</u>
Nicoletta Building Construction	Deduct \$ 1,500.00

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

**RESOLUTION NO. 135-07: AUTHORIZATION TO TRANSFER VEHICLE TO THE BUILDINGS AND GROUNDS DEPARTMENT AND DECLARE VEHICLE SURPLUS**

Mr. Fabino presented the following:

WHEREAS, pursuant to Resolution No. 62-07, the Department of Weights and Measures declared the following vehicle surplus: 1995 Ford Ranger Pick-up, VIN# 1FTCR10U1STA60107; now, therefore, be it

RESOLVED, that said vehicle is hereby transferred from WC Central Garage to the Wayne County Buildings and Grounds Department; and be it further

RESOLVED, that one (1) 2000 Crown Victoria, Ford 4 dr. sedan Vin# 2FAFP71WXYX106704, no longer of use by the Wayne County Buildings and Grounds Department, is hereby declared surplus, and moved to Central Garage, to be disposed of in accordance with the Surplus Vehicle Disposition Procedure outlined in Resolution No. 375-91.

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

**RESOLUTION NO. 136-07: AUTHORIZATION TO ACCEPT RFP FOR THE RELOCATION OF THE MODULAR CLASSROOM STRUCTURE AND EXECUTE CONTRACT WITH FINGERLAKES CONSTRUCTION**

Mr. Fabino presented the following:

WHEREAS, one Request for Proposal was received from Fingerlakes Construction for the relocation of the modular classroom structure from the Route 31 Complex in Lyons to the Sodus Point Park; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract with Fingerlakes Construction, subject to form and content approval by the County Attorney, in the amount of \$17,640.00 for the relocation of said modular classroom structure.

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

**RESOLUTION NO. 137-07: AUTHORIZATION TO DECLARE EQUIPMENT SURPLUS AND DISPOSE IN COUNTY PUBLIC AUCTION AND AUTHORIZE CLERK TO ADVERTISE**

Mr. Fabino presented the following:

WHEREAS, Wayne County wishes to sell the used equipment from the vacated Nursing Home Kitchen; now, therefore, be it

RESOLVED, that the following equipment be declared surplus and disposed of at a County Auction:

5 - Backing Trays	1 - Century whirlpool bathing (south)
2 - Bally Walk-in Coolers	1 - Century whirlpool bathing (west)
2 - Big Pots	2 - Cleveland Convection Steamers
1 - Bingo Unit	1 - Cleveland Direct Steam Kettle
1 - Blodgett Dual Flow Oven	1 - Cover rack with large baskets
3 - Bucksco Bowl Holders	3 - Cup Crates
1 - Cabinet for bowl etc	1 - Delfield Refrigerator

- |  |   |
|--|---|
| 1 - Electrical conveyor for meal trays                   | 1 - Manitowoc Ice Cube Maker series 150 |
| 1 - EPCO Tray Holder                                     | 46 - Meal Trays                         |
| 11 - Food Carts  | 1 - Metro Max 4 Shelf Holder            |
| 2 - Food Warming Equipment                               | 1 - Morgue Chiller                      |
| 1 - Garland Gas Pizza Oven - 3 drawer                    | 11 - Oven Racks                         |
| 2 - Hamilton Beach Commercial Blenders                   | 1 - Paragon Electric Kiln               |
| 1 - Hatco Toaster Conveyor                               | 1 - Peckham Vending Wagon               |
| 1 - Hobart Commercial Mixer                              | 2 - Preping tables                      |
| 1 - Hobart Dishwasher Machine                            | 1 - Seco sink                           |
| 1 - Hobart Mixer   | 4 - Seco Steamers - dry or with water   |
| 1 - Hobart Refrigerator 3-door cold foods                | 4 - Sexton Tray Holders                 |
| 1 - Hobart Slicer & Parts                                | 1 - Sodexho walk-in cooler              |
| 1 - Holman Toaster Oven                                  | 1 - Sodexho walk-in cooler              |
| 2 - Hussmann Refrigerator Cold Foods                     | 1 - Southbend oven                      |
| 1 - In Sink-Erator waste disposer-sink;<br>shelf; rack   | 1 - Stainless Steel Top Table           |
| 1 - In Sink-Erator waste disposer-sink<br>rinse sanitizr | 1 - Star Oven                           |
| 1 - Lakeside   | 3 - Storage Crates                      |
| 2 - Manitowoc Ice Cube maker                             | 18 - Tops for Seco Steamers             |
| and be it further  | 1 - Useco Plate Warmer                  |
|  | 1 - Wells top burner stove              |

RESOLVED, that a Public Auction will be conducted on Tuesday, March 6, 2007 at 10:00 a.m. at the former site of the Wayne County Nursing Home; and be it further

RESOLVED, that upon submission and approval of said inventory list, the Clerk of the Board is hereby authorized to advertise for a public auction of said County Surplus Equipment.

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

**RESOLUTION NO. 138-07: AUTHORIZATION FOR CHAIRMAN AND DISTRICT ATTORNEY TO EXECUTE FEDERAL EQUITABLE SHARING AGREEMENT**

Mr. DeSanto presented the following:

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

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

**RESOLUTION NO. 139-07: AUTHORIZATION TO TRANSFER BALANCE OF FUNDS AT THE END OF 2006 IN THE WAYNE-NET GRANT TO BE APPROPRIATED IN 2007**

Mr. DeSanto presented the following:

WHEREAS, the Wayne-Net grant crosses several fiscal years; and

WHEREAS, the funds obligated but not expended in 2006 need to be added to the 2007 County Budget; and

WHEREAS, the County closed these accounts out to fund balance at the end of 2006; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized and directed to transfer \$59,215.18 in funds from the Appropriated Fund Balance as follows:

**A1165 District Attorney**

\$59,215.18 to .54528 Legislative Grant

\$59,215.18 to .43716 State Aid (revenue)

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

**RESOLUTION NO. 140-07: AUTHORIZATION TO FILL VACANCY FOR VICTIM WITNESS PROGRAM COORDINATOR POSITION AND FOR DISTRICT ATTORNEY'S OFFICE AND SET SALARY**

Mr. DeSanto presented the following:

RESOLVED, that the District Attorney is hereby authorized to fill the vacancy of Victim Witness Program Coordinator at an annual salary of \$33,500.

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

**RESOLUTION NO. 141-07: ADOPTION OF LOCAL LAW AMENDING LOCAL LAW NO. 2-1985 ESTABLISHING THE MAXIMUM EXEMPTION ALLOWABLE FOR THE ALTERNATIVE VETERANS' EXEMPTION FROM REAL PROPERTY TAXATION**

Mr. Hammond presented the following:

WHEREAS, a proposed local law in relation to local law amending Local Law No. 2-1985 establishing the maximum exemption allowable for the alternative veterans' exemption from real property taxation was presented to the Board of Supervisors on January 16, 2007; and

WHEREAS, a public hearing on the proposed local law was held by the Board of Supervisors on February 22, 2007, 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. 2-1985 establishing the maximum exemption allowable for the alternative veterans' exemption from real property taxation.

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

**SECTION 1.**

SECTION 1 OF LOCAL LAW NO. 2-1985 ESTABLISHING THE MAXIMUM EXEMPTION ALLOWABLE FOR THE ALTERNATIVE VETERANS EXEMPTION FROM REAL PROPERTY TAXATION IS HEREBY AMENDED TO READ AS FOLLOWS:

Section 1. The purpose of this law is to increase the Veterans exemption to those amounts allowable, pursuant to subdivisions 2-a, 2-b & 2-c of Section 458-a of the Real Property Tax Law of the State of New York.

**SECTION 2.**

SECTION 2 OF LOCAL LAW NO. 2-1985 ESTABLISHING THE MAXIMUM EXEMPTION ALLOWABLE FOR THE ALTERNATIVE VETERANS EXEMPTION FROM REAL PROPERTY TAXATION IS HEREBY AMENDED TO READ AS FOLLOWS:

Section 2. Pursuant to the provisions of subdivisions 2-a, 2-b & 2-c of Section 458-a of the Real Property Tax Law of the State of New York, the maximum veterans exemption from real property taxes allowable pursuant to Section 458-a of the Real Property Tax Law is established as follows:

- (a) Qualifying residential real property shall be exempt from taxation to the extent of fifteen percent of the assessed value of such property; provided, however, that such exemption shall not exceed twelve thousand dollars or the product of twelve thousand dollars multiplied by the latest state equalization rate for the assessing unit, or in the case of a special assessing unit, the latest class ratio, whichever is less.
- (b) In addition to the exemption provided by paragraph (a) of this subdivision, where the veteran served in a combat theatre or combat zone of operations, as documented by the award of a United State campaign ribbon or service medal, qualifying residential real property also shall be exempt from taxation to

the extent of ten percent of the assessed value of such property provided, however, that such exemption shall not exceed eight thousand dollars or the product of eight thousand dollars multiplied by the latest state equalization rate for the assessing unit, or in the case of a special assessing unit, the class ratio, whichever is less.

- (c) In addition to the exemptions provided by paragraphs (a) and (b) of this subdivision, where the veteran received a compensation rating from the United States Veterans' Administration or from the United States Department of Defense because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by fifty percent of the veterans' disability rating; provided, however, that such exemption shall not exceed forty thousand dollars or the product of forty thousand dollars multiplied by the latest state equalization rate for the assessing unit, or in the case of a special assessing unit, the latest class ratio, whichever is less. For purposes of this paragraph, where a person who served in the active military, naval or air service during a period of war died in service of a service connected disability, such person shall be deemed to have been assigned a compensation rating of one hundred percent.

### **SECTION 3.**

This local law shall take effect immediately upon the date it is filed in the office of the Secretary of State in accordance with 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. Lyon moved the adoption of the resolution. Seconded by Mr. DeSanto. Upon roll call, adopted.

### **RESOLUTION NO. 142-07: ADOPTION OF A LOCAL LAW TO PROVIDE A PARTIAL EXEMPTION FROM COUNTY REAL PROPERTY TAXES TO QUALIFIED RESIDENT-APPLICANTS WHO ARE DISABLED IN CONFORMITY WITH SECTION 459-C OF THE NYS REAL PROPERTY TAX LAW**

Mr. Hammond presented the following:

WHEREAS, a proposed local law to provide a partial exemption from county real property taxes to qualified resident-applicants who are disabled in conformity with Section 459-c of the NYS Real Property Tax Law was presented to the Board of Supervisors on January 16, 2007; and

WHEREAS, a public hearing on the proposed local law was held by the Board of Supervisors on February 22, 2007, 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 provide a partial exemption from county real property taxes to qualified resident-applicants who are disabled in conformity with Section 459-c of the NYS Real Property Tax Law.

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

Section 1: Legislative Intent

The purpose of this local law is to provide partial relief from county real property taxes to qualified resident-applicants who are disabled. It is intended to accomplish this purpose in conformity with NYS Real Property Law Section 459-c, as amended.

Section 2: Legislative Authority

This local law is enacted pursuant to Section 459-c of the Real Property Tax Law.

Section 3: Partial Real Property Tax Exemption.

- a. Real property owned by one or more persons with disabilities, or real property owned by husband and wife, or both, or by siblings, at least one of whom has a disability or real property owned by one or more persons, some of whom qualify under this local law and Section 467 of the Real Property Tax Law and whose income, as hereafter defined, is limited by reason of such disability, shall be partially exempt from taxation to the extent provided in the following schedule:

Assessed	Percentage
<u>Annual Income</u>	<u>Valuation Exempt From Taxation</u>
\$13,500 or less	50 per centum
More than \$13,500, but less than \$14,500	45 per centum
\$14,500 or more, but less than \$15,500	40 per centum
\$15,500 or more, but less than \$16,500	35 per centum
\$16,500 or more, but less than \$17,400	30 per centum
\$17,400 or more, but less than \$18,300	25 per centum
\$18,300 or more, but less than \$19,200	20 per centum
\$19,200 or more, but less than \$20,100	15 per centum
\$20,100 or more, but less than \$21,000	10 per centum
\$21,000 or more, but less than \$21,900	5 per centum

- b. Any exemption provided herein shall be computed after all other partial exemptions allowed by law excluding the school tax relief (Star) exemption authorized by Section 425 of the Real Property Tax Law have been subtracted from the total amount assessed, provided, however, that no parcel may receive an exemption for the same municipal tax purpose pursuant to this local law and Section 467 of the Real Property Tax Law.

Section 4: Sibling Definition

For purpose of this local law "sibling" shall mean a brother or a sister, whether related through half-blood, whole-blood or adoption.

Section 5: Limitation of Exemption.

No exemption shall be granted:

- a. If the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of \$3,000.00, or such other sum not less than \$3,000.00, nor more than \$21,900.00 as may be provided by local law. Income tax year shall mean the twelve month period for which the owner or owners filed a federal personal income tax return, or if no such return is filed, the calendar year. Where title is vested in either the husband or the wife, their combined income may not exceed such sum, except where the husband or wife, or ex-husband or ex-wife is absent from the property due to divorce, legal separation or abandonment, then only the income of the spouse or ex-spouse residing on the property shall be considered and may not, exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital, gifts, inheritances or monies earned through employment in the federal foster grandparent program and any such income shall be offset by all medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance, pursuant to local law. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income:
- b. unless the property is used exclusively for residential purposes, provided, however, that in the event any portion of such property is not so used exclusively for residential purposes, but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section:
- c. unless the real property is the legal residence of and is occupied in whole or in part by the disabled person; except where the disabled person is absent from the residence while receiving health related care as an inpatient of a residential health care facility, as defined in Section 28001 of the Public Health Law, provided that any income accruing to that person shall be considered income for purposes of this section only to the extent that it exceeds the amount paid by such person or spouse or sibling of such person for care in the facility.

Section 6: Application.

Application for such exemption must be made annually by the owner, or all of the owners of the property, on forms prescribed by the state board and shall be filed in such assessor's office on or before the appropriate taxable status date. Provided, however, proof of a permanent disability need be submitted only in the year exemption pursuant to this local law as first sought or the disability is first determined to be permanent.

Section 7: Continuation; Review.

At least sixty days prior to the appropriate taxable status date, the assessor shall mail to each person who was granted exemption pursuant to this section on the latest completed assessment roll an application form and a notice that such application must be filed on or

before the taxable status date and be approved in order for the exemption to continue to be granted. Failure to mail such application form or the failure of such person to receive any of the same shall not prevent the levy, collection and enforcement of the payment of the taxes on property owned by such person.

Section 8: Effective Date.

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; 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. LeRoy moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, all Supervisors voted Aye, except Supervisors Spickerman and Young, who voted Nay. Absent – Supervisor Park. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 143-07: AUTHORIZATION TO PAY INVOICE FOR THE CRIME POLICY RENEWAL FEE FOR WAYNE COUNTY**

Mr. Hammond presented the following:

WHEREAS, Wayne County has received an invoice from Haylor, Freyer and Coon, Inc. in the amount of \$4,112 for the renewal of the crime policy to Wayne County for the period of January 1, 2007 – January 1, 2008, and this invoice needs to be paid; now, therefore, be it

RESOLVED, that the Clerk of the Board is hereby authorized to make payment to Haylor, Freyer & Coon, Inc. in the amount of \$4,112 for the renewal of the crime policy for the period of January 1, 2007 – January 1, 2008 from Account A1910.4300 upon adoption of this resolution.

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

**RESOLUTION NO. 144-07: 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

2007 Tax Roll

Account No.:	68111-14-438413
Assessed to:	Donald F. Lyke
Corrected Total Tax:	\$487.85

2007 Tax Roll

Account No.	67112-00-814875
Assessed to:	Janine M. Buckland
Corrected Total Tax:	\$2135.97

2007 Tax Roll

Account No.	69110-00-410285
Assessed to:	Kathy L. Quigley
Corrected Total Tax:	\$0.00

2007 Tax Roll  
Account No. 69111-00-448712  
Assessed to: Ernest E. Howard  
Corrected Total Tax: \$721.17

TOWN OF BUTLER

2007 Tax Roll  
Account No. 77116-00-621160  
Assessed to: Zandara M. Riggs  
Corrected Total Tax: \$640.67

TOWN OF SODUS

2007 Tax Roll  
Account No. 69117-06-287980  
Assessed to: Catholic Charities of Rochester  
Corrected Total Tax: \$0.00

2007 Tax Roll  
Account No. 67118-00-657991  
Assessed to: Diane Verhow  
Corrected Total Tax: \$1889.28

2007 Tax Roll  
Account No. 68115-00-210328  
Assessed to: Mark L & Darlene M Sovie  
Corrected Total Tax: \$122.81

2007 Tax Roll  
Account No. 68116-00-268477  
Assessed to: John L & Dorothy M DeVeronica  
Corrected Total Tax: \$733.13

2007 Tax Roll  
Account No. 68116-00-360224  
Assessed to: Peter Tinklepaugh  
Corrected Total Tax: \$2401.83

2007 Tax Roll  
Account No. 68116-00-444648  
Assessed to: Frederick & Linette Cheetham  
Corrected Total Tax: \$522.50

2007 Tax Roll  
Account No. 68116-00-883606  
Assessed to: Frederick & Linette Cheetham  
Corrected Total Tax: \$1942.47

2007 Tax Roll  
Account No. 68117-07-614763  
Assessed to: George R. Laster  
Corrected Total Tax: \$679.50

2007 Tax Roll  
Account No. 70117-00-718054

Assessed to: Janet Wunder  
Corrected Total Tax: \$740.31

TOWN OF WILLIAMSON

2007 Tax Roll  
Account No. 65117-00-700699.101  
Assessed to: Whispering Woods MHC LLC  
Corrected Total Tax: \$438.71

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

**RESOLUTION NO. 145-07: AUTHORIZING PAYMENT OF LITIGATION COST AND TRANSFER FUNDS**

Mr. Hammond presented the following:

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

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

Town of Arcadia: \$46.40  
West Union Associates

now, therefore, be it

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

\$50.00 to Account No. A1355.4506 (Attorneys) from Account No.A1990.4000 (Contingent Fund General-Contractual Expense); and be it further,

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

Mr. Jenkins moved the adoption of the resolution. Seconded by Mr. Colvin. Upon roll call, adopted.

**RESOLUTION NO. 146-07: 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 MACEDON

2007 Tax Roll  
Account No. 62110-00-518790  
Assessed to: John F. & Susan H Ernest, Jr  
Refund: \$7.03

TOWN OF MACEDON

2007 Tax Roll  
Account No. 62110-00-259735  
Assessed to: John F. & Susan H. Ernest, Jr

Refund: \$97.42

TOWN OF PALMYRA

2006 Tax Roll

Account No. 66112-15-746464

Assessed to: Estate of Bridget Falconer, c/o Margie Falconer

Refund: \$484.67

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. Young moved the adoption of the resolution. Seconded by Mr. Colvin. Upon roll call, adopted.

**RESOLUTION NO. 147-07: AUTHORIZATION TO DECLARE EQUIPMENT SURPLUS FOR REAL PROPERTY TAX SERVICES**

Mr. Hammond presented the following:

RESOLVED, that the Real Property Tax Services department has a Sharp copier, Model 2030, Serial # 70507815, County Inventory # 000030, that is no longer functioning and is no longer of use to the County of Wayne and is hereby declared surplus, and be it further,

RESOLVED, the Superintendent of Buildings and Grounds is hereby authorized to dispose of the item in accordance with County Policy.

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

**RESOLUTION NO. 148-07: AUTHORIZATION TO FILL VACANT POSITIONS FOR VARIOUS COUNTY DEPARTMENTS**

Mr. Jenkins presented the following:

RESOLVED, that the following Department Heads are hereby authorized to fill the vacant positions listed for their respective departments and any vacant positions created by filling these positions:

**Director of Aging and Youth**

1 - Caseworker (due to vacancy)

**Commissioner of Social Services**

Social Services Position:

1 – Principal Account Clerk (due to new position)

Nursing Home Positions:

1 - Supervising RN (due to resignation eff. 2/1)

4 - RNs (due to resignation eff. 1/26/06; 7/4/06; 9/11/06 and 2/2/07, respectively)

4 - LPN's (due to resignation eff. 1/19/07; 1/21/07; 2/23/07 and 1/30/07, respectively)

5 - CNA (removal d/t job abandonment eff. 1/17/07)

**Public Health Director**

1- PHN/RN position (due to promotion)

1 - PHN POSITION (due to retirement)

**911 Coordinator**

1 - Public Safety Dispatcher (due to resignation)

1 - ALS Technician (due to resignation)

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

adopted.

**RESOLUTION NO. 149-07: AUTHORIZATION TO EXECUTE AGREEMENT WITH NEWPORT ALLIANCE FOR PROVISION OF DRUG AND ALCOHOL TESTING**

Mr. Jenkins presented the following:

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 Newport Alliance for Drug and Alcohol testing of Wayne County employees at the following fees for services:

\$48 per drug test and \$30 per alcohol test done at the collection site	
\$62 per drug test and \$59 per alcohol test done at client site	
No show fee	\$ 20 per occurrence
Testing of the split specimen	\$150 per test
Litigation Package	\$130 per occurrence
MRO Expert Witness Testimony	\$250 per hour plus travel expenses
MRO Phone Consult/Testimony	\$ 75 per 15 minute increment

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

**RESOLUTION NO. 150-07: AUTHORIZATION TO FILL SECRETARY TO THE COUNTY ATTORNEY POSITION**

Mr. Jenkins presented the following:

WHEREAS, due to the resignation of a Secretary to the County Attorney in the County Attorney's Office, a position will become available as of February 13, 2007; and

WHEREAS, the County Attorney is seeking authorization to fill said position at an annual salary range of \$24,492 - \$25,992; now, therefore, be it

RESOLVED, that the Wayne County Attorney is hereby authorized to fill One (1) Secretary to the County Attorney position at an annual salary range of \$24,492 - \$25,992.

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

**RESOLUTION NO. 151-07: AUTHORIZATION TO PAY ACCRUED LEAVE FOR COUNTY EMPLOYEE**

Mr. Jenkins presented the following:

WHEREAS, upon voluntary severance from the County where a prior Twenty (20) calendar day notice has been given by the employee to the County in writing, the employee shall be entitled to unused annual leave due at the time of severance; and

WHEREAS, Sandra Tierson has resigned from her position of Secretary to the County Attorney and given a Fourteen (14) day notice of her voluntary severance; and

WHEREAS, Ms. Tierson has requested that the Wayne County Board of Supervisors waive the said Twenty (20) day notice requirement; now, therefore, be it

RESOLVED, That the Wayne County Board of Supervisors upon due consideration of Ms. Tierson's work record, her use of annual leave time and the circumstances regarding her resignation, hereby waive the said Twenty (20) day notification requirement and directs that Ms. Tierson be reimbursed for her accrued leave credits upon leaving County employment.

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

**RESOLUTION NO. 152-07: AUDIT OF CLAIMS**

Mr. Colvin 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 are hereby approved for payment and the

Treasurer is hereby authorized and directed to make payment of the same:

1. A Fund	\$	1,769,437.82
3. D Fund	\$	542,364.93
4. DM Fund	\$	72,815.98
5. E Fund	\$	425,337.87
6. H Fund	\$	49,824.64
7. MS Fund	\$	10,747.50
8. S Fund	\$	0.00
Warrant Total	\$	2,870,528.74

and be it further

RESOLVED, that the following utilities totaling \$216,778.98, processed pursuant to Resolution No. 176-78, are hereby ratified:

1. A Fund	\$	154,820.10
3. DM Fund	\$	7,328.98
4. E Fund	\$	54,629.90
Utility Total	\$	216,778.98

and be it further

RESOLVED, that the checks processed for the Department of Social Services for Special Assessments, totaling \$ 373.50, are hereby ratified.

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

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

**RESOLUTION NO. 153-07: AUTHORIZATION TO DECLARE EQUIPMENT SURPLUS FOR BOARD OF SUPERVISORS OFFICE**

Mr. Jenkins presented the following:

RESOLVED, that the Board of Supervisors office has declared surplus the following equipment surplus and it is no of use to the Board Office:

- 1 - Konica copier Model 7040, Serial # HE06749
- 1 - Konica Print Controller Model IP-402

and be it further

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to dispose of the items in accordance with County Policy.

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

**EXECUTIVE SESSION:** Mr. Plant moved, seconded by Mr. LeRoy that the Board go into Executive Session at 10:41 a.m. to discuss a personnel matter. Upon roll call, carried.

Prior to going into Executive Session, Chairman Hoffman announced that the next meeting of the Board is scheduled for Tuesday, March 20, 2007 at 9:00 a.m.

**ADJOURNMENT:**

Mr. Colvin moved, seconded by Mr. Plant, that the board adjourn at 11:50 a.m. Carried.

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