

7th Day
 Tuesday, March 15, 2005
 9:00 a.m.

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

Upon roll call, all Supervisors were present. County Attorney Wyner and County Administrator Park were also present.

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

SUMMARY OF CLAIMS:

Committee No. 2:	A1010	Legislative Board	1,348.72	
	A1040	Clerk of Legislative Board	512.62	
	A1420	County Attorney	299.46	
	A1430	Personnel	773.27	
	A1670	Undistributed Meter Postage	258.29	
	A1672	Court House Copier	168.00	
Committee No. 3:	A1355	Assessments - Taxes	7,968.62	
	A1431	Cafeteria Plan	300.00	
	A1910	Unallocated Insurance	13,600.00	
	A1930	Judgment & Claims	2,527.53	
Committee No. 4:	A1165	District Attorney	6,358.36	
	A1170	Public Defender	5,284.02	
	A1172	Legal Defense of Indigents	63,943.25	
	A1173	Wayne Pre-Trial	8,411.33	
	A1174	Local Conditional Release Comm	900.00	
	A1185	Coroner	6,077.56	
	A1190	Grand Jury	1,150.14	
	A3117	Animal Abuse Investigations	204.30	
	A3140	Probation	5,532.14	
	Committee No. 5:	A1615	Buildings & Grounds	18,742.28
Committee No. 6:	A1410	County Clerk (Motor Vehicles)	358.61	
	A1450	Elections	861.05	
Committee No. 7:	A6510	Veterans Agency	845.79	
	A1640	Central Garage	7,072.37	
	D5010	Highway Administration	31,710.26	
	D5110	Maintenance of Roads & Bridges	9,200.09	
	D5111	Road Striping & Sign Maintenance	3,231.71	
	D5112	Road Construction	929,591.33	
	D5142	Snow Removal - County	433,251.86	
	DM5130	Road Machinery	72,138.08	
	Committee No. 8:	A6010	Social Services Administration	126,340.08
		A6109	Family Assistance	40.00
A6123		Juv Delinquent Care	40,670.46	
A6140		Safety Net	520.00	
A6212		WFD/DSS Intensive Employment Unit	1,661.95	
A6214		WFD/3Day DSS Workshop	700.00	
A6310		Community Action Program	43,983.00	
CD6293		WIA Adult	2,008.16	
CD6294		WIA Dislocated	4,192.75	
CD6295		WIA Youth	1,794.99	
CD6296	TANF Summer	159.00		
CD6298	WIA-TTA	933.44		

	E0102	Buildings	149,324.45
	E0104	Equipment	734,714.44
	E6010	Nursing Administration	175.04
	E6020	Skilled Nursing Facility	298.38
	E7200	Central Medical Supply	17,624.40
	E7240	Radiology	1,105.31
	E7270	Pharmacy	33,769.63
	E7290	Dental	2,375.00
	E7310	Psychiatric	600.00
	E7330	Physical Therapy	8,281.87
	E7340	Occupational Therapy	16,683.87
	E7350	Speech Therapy	1,335.00
	E7380	Social Services	200.25
	E7390	Medical Records	134.74
	E7410	Medical Staff	4,082.70
	E7420	Medical Director	1,056.00
	E8210	Dietary Service	89,647.18
	E8220	Plant Operation and Maintenance	3,434.24
	E8240	Housekeeping	3,434.24
	E8250	Laundry Service	43.53
	E8260	Activities	365.35
	E8270	Transportation	418.53
	E8310	Fiscal Service	70.04
	E8350	Administrative Services	6,233.65
	E8410	Depreciation	377.09
	E8460	Employee Benefits	40,894.21
Committee No. 9:	A2490	Community College	795,721.03
	A2910	Educational TV	4,860.00
	A7510	County Historian	36.00
Committee No. 10:	A1325	Treasurer	953.72
	A1364	Expenses of Prop Acquired for	126.36
	A1671	Printing	4,752.42
	A1680	Data Processing	23,862.51
	H1908	FMS System Update	57,073.71
Committee No. 11:	A4010	Public Health	4,722.97
	A4011	Public Health Services	12,594.13
	A4016	Early Intervention 0-1	150,465.12
	A4017	Child W/Spec. Needs 3-5 Prog.	549,384.80
	A4018	Public Health Education	2,252.63
	A4019	Wayne Community Nursing Care	18,301.38
	A4020	EMS Coordinator-Public Health	157.95
	A4046	Physically Handicapped Children	3,380.75
	A4320	Community Counseling Center	8,969.08
	A4321	Community Services S. Center (CDT)	14,820.42
	A4322	Contracted Mental Health Service	139,547.00
	A4323	Jail Serv. Non-Inpatient Crisis	634.73
	A4324	Substance Abuse Service	2,438.55
	A4325	Club Rehabilitative Services	1,378.90
	A4327	Case Management Services	1,416.66
	A4328	Intensive Case Management	4,207.97
	A4330	Agency Administration – LGU	14,483.62
	A4331	Reinvest Transportation	99.76
	A4332	Court Evaluation	1,669.35
	A4334	Children & Youth Clinic	17,184.11

	A4336	MICA Outreach – MH	81.32
	A4340	C & Y ICM	1,208.00
	A4341	Local Gov't Unit	1,040.50
	A4343	Intake	1,019.70
	A4345	School Support	9.92
Committee No. 12:	A6410	Publicity	1,665.46
	A6411	Tourism Matching Funds	35,221.81
	A8020	Planning Board	5,038.02
	A8687	Economic Dev Zone Admin	1,009.16
Committee No. 13:	A3110	Sheriff	3,181.45
	A3111	Recreational Safety	2,149.56
	A3112	Civil Office	564.95
	A3113	Juvenile Office	3,375.15
	A3114	Road Patrol	14,925.35
	A3115	Detective Unit	2,113.04
	A3116	Court Security	2,020.20
	A3118	Road Patrol (COPS Grant)	667.54
	A3150	Jail	58,680.05
	A3315	Special Traffic Program	2,289.21
	A3410	Mutual Aid	620.64
	A3640	Emergency Management	250.78
	A3642	E911 Communications	8,088.34
	A3644	ALS Services	4,387.73
	A6610	Consumer Affairs	141.03
	H1935	Enhanced 911 Emergency	120,527.65
Committee No. 14:	A6772	Area Agency on Aging	36,661.83
	A7310	Youth Bureau	23,763.75
	A7311	Youth - Recreation	30.00
	A8730	Soil Conservation	1,000.00
		During the Month Utilities	95,871.54

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

COMMUNICATIONS RECEIVED:

The Sheriff's Reports for the month of January and February totaling in the amount of 12,260.67 were received.

A letter was sent from Chairman Decker, on behalf of the Board, to Senator Hillary Rodham Clinton, expressing disappointment in the proposed elimination of funding to the Community Development Block Grant Program and the Amtrak Station in Lyons.

A copy of a resolution from Orange County entitled "Urging State Legislature to Amend the Adolescent Tobacco use Prevention Act Relating to the Imposition of Penalties and Sanctions for Violations Thereof" was received.

A copy of a Resolution from Town of Ontario entitled "Adopting Local Law # 1 of the Year 2005 of the Town of Ontario, approving payment in lieu of taxes agreement with R.E. Ginna Nuclear Power Plant, LLC".

Copies of several letters, postcards and e-mails opposing the proposed Wayne County Motor Vehicle Use Tax were received from Wayne County Residents:

Wallace D. Smith, Vice President, AAA Western and Central NY
Helen Ficarro, Ontario
Gary Buehler, Pultneyville
Carol A. Martini, Wolcott
John R. Lyboldt, President, Rochester Automobile Dealers' Association
John and Lorraine Delaney, Ontario

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

BIDS:

Corrugated Metal Pipe Arch for the Wayne County Highway Department

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

ANNUAL REPORTS:

Wayne County Department of Probation and Correctional Alternatives

Wayne Pre-Trial Services – Enhanced Pre-Trial Release

Wayne County Department of Aging and Youth

Wayne County Public Health Services

Wayne County Board of Elections

Wayne County Civil Service-Personnel Office

Wayne County Real Property Tax Services

Mrs. Bender moved, seconded by Mrs. Chittenden, that all reports be received and filed. Upon roll call, carried.

PROCLAMATIONS:

Clyde-Savannah Golden Eagles Section V Class C - Girls Basketball Champions

Lyons Lions Section V Class CC - Girls Basketball and Western NYS Champions

Mr. DeSanto moved, seconded by Mr. Colvin, that the Proclamations be received and filed. Upon roll call, carried

Captain D.T. Swain, NYS Police addressed the board and asked for any questions or comments regarding the New York State Police.

Mr. Fabino presented a proclamation to the Lyons Lions Girls Basketball Team and congratulated them on all their accomplishments for their successful season.

COUNTY OF WAYNE

NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAW

NOTICE IS HEREBY GIVEN that the Wayne County Board of Supervisors will hold a public hearing on Tuesday, March 15, 2005 at 9:15 a.m. in the Supervisors' Chambers in the County Court House, Lyons, New York, on the following proposed Local Law:

COUNTY OF WAYNE - STATE OF NEW YORK

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

A Local Law establishing a Wayne County Motor Vehicle Use Tax.

Section 1. Legislative Intent.

1.1 It is the intent of this Local Law to establish a Wayne County Motor Vehicle Use Tax.

Section 2. Definitions. As used in this Local Law, the following terms shall have the meanings indicated below:

2.1 Buses. The same meaning as defined in Section 104 of the Vehicle and Traffic Law, as amended.

2.2 Passenger motor vehicle. Any motor vehicle subject to the registration fee as provided for in Section 401(6) of the Vehicle and Traffic Law.

2.3 Truck. The same meaning as defined in Section 401 of the Vehicle and Traffic Law, as amended.

Section 3. Imposition of Tax.

3.1 Pursuant to the Vehicle and Traffic Law and Sections 1202(a) and 1202(c) of the Tax Law, a special motor vehicle use fee on vehicle registrations is hereby imposed on motor vehicles registered within Wayne County. Such fee shall be charged in

accordance with the following schedule:

- A. A tax of \$5.00 per annum for the use of passenger motor vehicles of a type commonly used for noncommercial purposes owned by residents of the County for each such vehicle weighing 3,500 pounds or less and a tax of \$10.00 per annum for such vehicles in excess of 3,500 pounds.
 - B. A tax of \$10.00 per annum for the use of trucks, buses and other such commercial vehicles used principally in connection with a business carried on within the County, except when owned and used in connection with the operation of a farm by the owner or tenant thereof.
- 3.2 The fee shall be paid for all registrations and renewals of registrations for which the registration fee is established in Section 401(6) (a) or (7) of the Vehicle and Traffic Law.
- A. The fee shall be applicable to an original or renewal registration transaction only, and not to a re-registration transaction. If no fee for a registration transaction is due, no County motor vehicle use fee shall be due on that transaction.
 - B. The applicability of such fee shall be determined based upon the information on the application for registration, as well as any additional documentation required by the Commissioner of Motor Vehicles.
 - C. The receipt for payment of such fee may be the registration certificate, whether or not it indicates the amount of the fee paid.

Section 4. Exemptions.

- 4.1 A tax imposed by this Local Law shall not be imposed upon any vehicle exempt from the registration fee pursuant to the New York State Vehicle and Traffic Law or upon any vehicle registered with farm or agriculture plates.
- 4.2 The fee imposed by this Local Law shall not be imposed upon not-for-profit, religious, charitable, or educational organizations qualified for exemption with the New York State Department of Taxation and Finance.
- 4.3 Application for exemption from the Vehicle Use Tax must be on form UT-11C and filed with the Wayne County Clerk's Office.

Section 5. Administration and Collection of Fee By Commissioner of the New York State Department of Motor Vehicles.

- 5.1 As authorized under Tax Law Section 1202(c), the Motor Vehicle Use Tax shall be administered and collected on behalf of Wayne County by the Commissioner of the New York State Department of Motor Vehicles or his agent.
- 5.2 Pursuant to Tax Law Section 1202(c), the New York State Commissioner of Motor Vehicles is authorized, on behalf of Wayne County, to make the payment of such fee a condition precedent to the registration or registration renewal of any vehicle subject to the fee imposed by this Local Law.
- 5.3 The Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to negotiate and enter into an agreement with the Commissioner of the New York State Department of Motor Vehicles for the implementation of this Local Law, and such agreement shall provide for the exclusive method of collection, custody and remittal of the proceeds of such fee and for the payment by the County of the reasonable expenses incurred by the New York State Department of Motor Vehicles in connection with the collection and administration of said tax.
- 5.4 The said agreement shall set forth in detail, policies and procedures for collection for underpayment and for refunds. Also, such agreement shall set forth procedures for deposit and retention of funds and indemnification.
- 5.5 The said agreement shall also provide that the Wayne County Treasurer, upon request, not more frequently than once in each calendar year at a time agreed upon by the State Comptroller, shall audit the accuracy of the payments, distributions and remittances to Wayne County pursuant to this Local Law.
- 5.6 All revenues resulting from the imposition of the tax under this Local Law shall

be paid into the treasury of the County and shall be credited to and deposited in the general fund of the County.

Section 6. Judicial Review.

6.1 Any determination made hereunder by the County of Wayne shall be reviewable pursuant to Article 78 of the Civil Practice Law and Rules.

Section 7. Recovery of Fee.

7.1 Wherever any person fails to pay the fee due hereunder, proceedings to recover such fees, as well as any applicable penalties and/or interest, shall be the responsibility of Wayne County, as set forth in the agreement. A final penalty schedule shall be subject to the approval of the Wayne County Board of Supervisors.

Section 8. Severability.

8.1 If any provision of this Local Law or the application thereof to any person or circumstances is held invalid, the remainder of this Local Law and the application of such provisions to other persons and circumstances shall not be affected thereby.

Section 9. Effective Date.

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: February 17, 2005
Lyons, New York
Supervisors

Sandra J. Sloane, Clerk
Wayne County Board of

The Clerk of the Board read the Notice of Public Hearing on the proposed Local Law establishing Wayne County Motor Vehicle Use Tax. After all interested persons were heard that wanted to speak, Mr. Hammond moved, seconded by Mr. Frederick, that the hearing be closed. Upon roll call, carried.

Mrs. Bender addressed the Board and the Public regarding the proposed Local Law establishing a Wayne County Motor Vehicle Use Tax. She stated that after listening to the Residents of Wayne County, including the review of numerous correspondences sent to the Board, the resolution was to be pulled from today's agenda.

Margaret Churchill, Executive Director of the Economic Development Corporation, introduced Mr. James Durfee of Bergmann Associates, the architects and engineers on the Erie Canal Cultural Center. Mr. Durfee addressed the Board to discuss Concept Alternatives for the Erie Canal Cultural Center.

RESOLUTION NO. 202-05: 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:

District Attorney

1 - Part-Time Assistant District Attorney (due to vacancy)

Commissioner of Social Services

1 - Senior Social Welfare Examiner (due to retirement)

Director of Community Services

1 - Staff Social Worker/CMHP for WBHN (due to resignation)

Sheriff

1 - Deputy Sheriff - (due to resignation)

1 - Correction Officer - (due to resignation)

2 - WWP Supervisors - (due to vacancy and promotion)

Director of Public Health

1 – Part-Time PHN/RPN (new position).

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

RESOLUTION NO. 203-05: AUTHORIZE AMENDMENT TO FINANCIAL DISCLOSURE RESOLUTION TO INCLUDE THE ADDITION OF CERTAIN ENUMERATED EMPLOYEES TO THE LIST FOR FILING STATEMENTS (AS AMENDED BY RESOLUTION NOS. 818-90; 324-91; 262-94; 128-95; AND 283-98)

Mr. Jenkins presented the following:

WHEREAS, it is necessary to amend Resolution No. 818-90 as amended regarding financial disclosures by certain enumerated employees to include the following job titles:

Empire Zone Coordinator
Deputy Director of Data Processing
Victim Witness Coordinator
EMS Coordinator
Nursing Home Comptroller
Now, therefore be it

RESOLVED, that Section 2, entitled *Definitions*, subparagraph d., of said Resolution as amended, is hereby amended to read as follows:

d. "Covered officers and employees" shall mean a person who holds any of the following

County positions:

Member, Board of Supervisors	Services
County Clerk	Director of Public Health
Deputy County Clerk	Probation Director
County Treasurer	Planning Director
Deputy County Treasurer	Superintendent of Highways
District Attorney	Highway Engineer
1st Assistant District Attorney	Real Property Tax Director
County Sheriff	Superintendent of Buildings and Grounds
Undersheriff	Director of Printing
County Coroner	Director of Data Processing
Clerk of the Board of Supervisors	Director of Disaster Preparedness
Deputy Clerk of the Board of Supervisors	STOP-DWI Coordinator
Budget Officer	Fire Coordinator
Deputy Budget Officer	Director of Weights and Measures
County Attorney	Director, Veterans Service Agency
Assistant County Attorney	Director of Area Agency on Aging
Public Defender	Youth Bureau Director
1st Assistant Public Defender	County Historian
Personnel Officer	Member, WC Industrial Development Agency
Personnel Assistant	Admin. Director, WC Industrial Dev. Agency
Employment and Training Director II	County Administrator
Election Commissioner	Dep. Director, Community Mental Health Serv.
Deputy Election Commissioner	E-911 Coordinator
Commissioner of Social Services	Director of Tourism and Promotion
Director of Social Services	Empire Zone Coordinator
Director of Administrative Services (DSS)	Deputy Director of Data Processing
Social Services Attorney	Victim Witness Coordinator
Nursing Home Administrator	
Director, Community Mental Health	

EMS Coordinator
Nursing Home Comptroller

and be it further

RESOLVED, that all other parts of said Resolution as amended are continued in full force and effect.

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

EXECUTIVE SESSION: Mr. Jenkins moved, seconded by Mr. Fabino, that the Board go into Executive Session to discuss collective bargaining negotiations.

REGULAR SESSION: Mr. Jenkins moved, seconded by Mr. Colvin, that the Board resume Regular Session. Upon roll call, carried.

RESOLUTION NO. 204-05: RATIFYING 2004-2007 COLLECTIVE BARGAINING AGREEMENT WITH THE WAYNE COUNTY SHERIFF'S POLICE OFFICERS' ASSOCIATION

Mr. Jenkins presented the following:

WHEREAS, Wayne County ("the County") and the Wayne County Sheriff's Police Officers' Association, have negotiated a Collective Bargaining Agreement ("the Agreement") establishing terms and conditions of employment for the four (4) year period commencing January 1, 2004 and ending December 31, 2007; and

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

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

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

Mr. Molino moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, all Supervisors voted Aye, except Supervisor Guelli who voted Nay. The Chairman declared the Resolution adopted.

RESOLUTION NO. 205-05: AUTHORIZATION TO SETTLE GRIEVANCES WITH CSEA (EMPLOYEES UNIT), CSEA (SUPERVISORY UNIT), WAYNE COUNTY SHERIFF'S POLICE OFFICERS' ASSOCIATION, WAYNE COUNTY SHERIFF'S LIEUTENANTS' ASSOCIATION, AND WAYNE COUNTY SHERIFF'S COURT OFFICERS' ASSOCIATION

Mr. Jenkins presented the following:

WHEREAS, the following Unions have filed grievances against the County of Wayne regarding health insurance benefits:

1. Civil Service Employees Association, Inc. (CSEA) – Wayne County Employees Unit (on behalf of active members and retirees);
2. Civil Service Employees Association, Inc. (CSEA) – Wayne County Supervisory Unit (on behalf of active members and retirees);
3. Wayne County Sheriff's Police Officers' Association;
4. Wayne County Sheriff's Lieutenants' Association; and
5. Wayne County Sheriff's Court Officers' Association

and

WHEREAS, the Wayne County Board of Supervisors has decided, upon the advice of counsel, not to oppose said grievances; now, therefore, be it

RESOLVED, that the Wayne County Administrator is hereby authorized to resolve each of the said grievances by granting the relief requested therein.

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

RESOLUTION NO. 206-05: AUTHORIZATION TO CREATE AND FILL ACCOUNT CLERK

POSITION; ESTABLISH LINE ITEM; ABOLISH SR. ACCOUNT CLERK POSITION AND TRANSFER FUNDS

Mr. Jenkins presented the following:

WHEREAS, the Board of Supervisors office is below minimum staffing currently; and

WHEREAS, the Board of Supervisors office has taken on additional duties from various departments; now, therefore, be it

RESOLVED, that the position of Account Clerk is hereby created and the Board of Supervisors is hereby authorized to advertise and fill this position at an hourly rate of \$11.868 an hour; and be it further

RESOLVED, that the position of Sr. Account Clerk is hereby abolished; and be it further

RESOLVED, that the County Treasurer is hereby authorized to create line Item .1122 (Account Clerk) in the Legislative Board budget; and be it further

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

Account No. 1010 - Legislative Board

\$20,000 from .1154 (Sr Account Clerk) to .1122 (Account Clerk).

Mr. Frederick moved, seconded by Mr. Pascarella, that Resolution No. 206-05 be amended to read as follows:

"WHEREAS, the Board of Supervisors office is below minimum staffing currently; and

WHEREAS, the Board of Supervisors office has taken on additional duties from various departments; now, therefore, be it

RESOLVED, that the position of Account Clerk is hereby created and the Board of Supervisors is hereby authorized to advertise and fill this position at an hourly rate of \$11.868 an hour, contingent upon a Memorandum of Understanding with the Union that this will be a confidential position; and be it further

RESOLVED, that the position of Sr. Account Clerk is hereby abolished; and be it further

RESOLVED, that the County Treasurer is hereby authorized to create line Item .1122 (Account Clerk) in the Legislative Board budget; and be it further

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

Account No. 1010 - Legislative Board

\$20,000 from .1154 (Sr Account Clerk) to .1122 (Account Clerk)."

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 except Supervisors Jenkins, Fabino, and Decker who voted Nay. The Chairman declared the Resolution adopted.

RESOLUTION NO. 207-05: AUTHORIZATION TO AMEND AGREEMENT WITH TERRY COTTON, CONSULTANT

Mr. Lyon presented the following:

WHEREAS, Wayne County has an Agreement with Terry Cotton to provide planning and fiscal services as they pertain to the reimbursement and construction of the new Nursing Home; and

WHEREAS, said Agreement requires Terry Cotton to maintain "Professional Liability" insurance coverage in the amount of \$1,000,000 per claim/\$2,000,000 aggregate; and

WHEREAS, Terry Cotton is desirous of amending the required "Professional Liability" insurance coverage requirement to \$1,000,000 per claim/\$1,000,000 aggregate; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to, on behalf of the County of Wayne and subject to the County Attorney's approval as to form and content, execute an amendment to the Agreement between the County of Wayne and Terry Cotton amending the "Professional Liability" insurance requirement to \$1,000,000 per claim/\$1,000,000 aggregate.

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

RESOLUTION NO. 208-05: AUTHORIZATION TO PAY 2005 CLAIM MANAGEMENT FEE TO HAYLOR, FREYER AND COON, INC.

Mr. Lyon presented the following:

WHEREAS, Wayne County has received an Invoice from Haylor, Freyer and Coon, Inc. in the amount of Five Thousand and 00/100 Dollars (\$5,000.00) for the 2005 Claim Management Fee to the County of Wayne for the period of April 1, 2005 – April 1, 2006; 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 Five Thousand and 00/100 Dollars (\$5,000.00) from Account A1910.4353 upon adoption of this resolution.

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

RESOLUTION NO. 209-05: AUTHORIZATION TO PAY 2005 INSURANCE PLACEMENT FEE TO HAYLOR, FREYER AND COON, INC.

Mr. Lyon presented the following:

WHEREAS, Wayne County has received an Invoice from Haylor, Freyer and Coon, Inc. in the amount of Eight Thousand Six Hundred and 00/100 Dollars (\$8,600.00) for the 2005 Insurance Placement Fee to the County of Wayne for the period of April 1, 2005 – April 1, 2006; 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 Eight Thousand Six Hundred and 00/100 Dollars (\$8,600.00) from Account A1910.4353 upon adoption of this resolution.

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

RESOLUTION NO. 210-05: APPROVING APPLICATIONS FOR CORRECTED TAX ROLLS

Mr. Lyon presented the following:

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

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

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

TOWN OF ARCADIA

2005 Tax Roll
Account No.: 68111-00-580980
Assessed to: Brenda L. Oosterling
Corrected Total Tax: \$1,061.96

TOWN OF BUTLER

2005 Tax Roll
Account No.: 76117-00-536149
Assessed to: John & Gloria Paylor
Corrected Total Tax: \$4,975.06

TOWN OF ROSE

2005 Tax Roll
Account No.: 73115-00-195715
Assessed to: Gary & Cheryl Pickering

Corrected Total Tax: \$1,089.94
TOWN OF SODUS
2005 Tax Roll
Account No.: 70116-00-333670
Assessed to: Alice Barclay
Corrected Total Tax: \$764.72

TOWN OF WOLCOTT
2005 Tax Roll
Account No.: 75120-00-793435
Assessed to: Virginia Murray
Corrected Total Tax: \$2,170.93
2005 Tax Roll
Account No.: 75120-00-860360
Assessed to: Polly Spital & Helen Odgen
Corrected Total Tax: \$265.55

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

RESOLUTION NO. 211-05: TAX REFUND – ERROR ON TAX ROLL

Mr. Lyon presented the following:

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

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

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

TOWN OF ARCADIA
2005 Tax Roll
Account No. 69110-09-044503
Assessed to: Rosemary A. Gooden
Refund: \$350.10

TOWN OF HURON
2005 Tax Roll
Account No.: 72119-00-887193
Assessed to: Dennis & Pamela Brooks
Refund: \$96.57

TOWN OF HURON
2005 Tax Roll
Account No.: 74117-00-571450
Assessed to: Barry & Elizabeth Buteau
Refund: \$122.22

TOWN OF PALMYRA
2005 Tax Roll
Account No.: 65112-00-491034
Assessed to: Town of Palmyra
Refund: \$123.79

TOWN OF PALMYRA
2004 Tax Roll
Account No.: 65112-00-491034
Assessed to: Town of Palmyra
Refund: \$164.72

TOWN OF PALMYRA

2003 Tax Roll

Account No.: 65112-00-491034

Assessed to: Town of Palmyra

Refund: \$156.18

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

RESOLUTION NO. 212-05: AUTHORIZING PAYMENT OF LITIGATION COST AND TRANSFER FUNDS

Mr. Lyon presented the following:

WHEREAS, Resolution No.444-95 approved contributions to legal fees incurred by certain Wayne County Municipalities in defense of Real Property Tax Assessment Review Proceedings; and

WHEREAS, the following School District has requested reimbursement for litigation fees as follows:

Wayne Central School District (Ginna): \$5,144.57

now, therefore, be it

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

\$5,150.00 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. Colvin moved the adoption of the resolution. Seconded by Mrs. Chittenden. Upon roll call, adopted.

RESOLUTION NO. 213-05: AUTHORIZATION TO AMEND RESOLUTION NO. 142-05 – AUTHORIZATION TO ADJUST TAX ROLL TO REFLECT THE ASSESSED VALUE IN PILOT AGREEMENT BETWEEN THE TOWN OF ONTARIO, WAYNE CENTRAL SCHOOL DISTRICT, THE COUNTY OF WAYNE, AND THE R.E. GINNA NUCLEAR POWER PLANT, LLC

Mr. Lyon presented the following:

WHEREAS, Resolution No. 142-05 authorized the 2005-2006 tax roll regarding properties identified on the Town of Ontario tax rolls as Tax Parcel SBL #62119-00-620947, Tax Parcel SBL #62119-00-850424, Tax Parcel SBL #62119-00-426493, and Tax Parcel SBL #62119-00-315465 be adjusted to reflect the assessed value set forth in the Pilot Agreement between the Town of Ontario, Wayne Central School District, the County of Wayne, and the R.E. Ginna Nuclear Power Plant, LLC, upon execution of said Pilot Agreement; and

WHEREAS, Tax Parcel SBL #62119-00-850424 was incorrectly identified on said Resolution; now, therefore be it

RESOLVED, that Resolution No. 142-05 is hereby amended for the purpose of changing Tax Parcel SBL 62119-00-850424 to Tax Parcel SBL 62119-00-860424.

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

RESOLUTION NO. 214-05: AUTHORIZING EXECUTION AND SUBMISSION OF 2005 ALTERNATIVES TO INCARCERATION SERVICE PLAN UPDATE FOR PRE-TRIAL RELEASE PROGRAM AND AUTHORIZING PROGRAM FUNDING AGREEMENT WITH NEW YORK STATE DIVISION OF PROBATION ALTERNATIVE

Mr. DeSanto presented the following:

WHEREAS, Wayne County's Alternative to Incarceration Advisory Board has prepared the 2005 Alternatives to Incarceration Service Plan Update; and

WHEREAS, the 2005 Plan Update includes the budget for the Pre-Trial Release Program to be implemented by Wayne Pre-Trial Services, Inc., pursuant to a subcontract with Wayne County during the period from January 1, 2005, to December 31, 2005, to be funded as follows:

State Funds	\$31,300
Required Local Match	\$69,636

now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors ("Chairman") is hereby authorized and directed to execute the 2005 Alternatives to Incarceration Services Plan Update on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, and to submit it to the New York Division of Probation and Correctional Alternatives; and be it further

RESOLVED, that the Chairman is hereby authorized and directed to execute a subcontract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Wayne Pre-Trial Services, Inc. for implementation of the program at a cost not to exceed \$100,936 to be funded as follows; State Funds \$31,300; County Funds \$69,636; and be it further

RESOLVED, that monthly payments of \$8,411.33 for the months of January 2005 through December 2005 shall be made to Wayne Pre-Trial Services, Inc.

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

RESOLUTION NO. 215-05: AUTHORIZATION TO PURCHASE AUTOMATIC DOOR OPENERS FOR COUNTY OFFICE BUILDING NO. 4

Mr. Fabino presented the following:

WHEREAS, two prices have been received for the purchase and installation of two Automatic door openers as follows:

Imperial Door Controls, Inc.	\$ 2,850.00
Paulding's Safe & Lock	\$ 4,414.00

now, therefore, be it

RESOLVED, that the Superintendent of Building and Grounds is authorized to purchase and have Imperial Door Controls install two Automatic Door Openers at a total cost not to exceed \$2,850.00 to be paid from A1615.4407.

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

RESOLUTION NO. 216-05: AUTHORIZATION FOR B&G TO HIRE SEASONAL POSITIONS AS NEEDED FOR 2005 PARKS SEASON

Mr. Fabino presented the following:

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to fill the following positions as needed:

12 - Seasonal Laborers	\$7.50 per hour (first year of service)
	\$8.50 per hour (for one year or more experience)
2 - Park Foreman	\$9.50 per hour (first year of service)
	\$10.50 per hour (for one year or more experience)

and be it further

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to fill these positions as needed during 2005.

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

RESOLUTION NO. 217-05: AUTHORIZATION TO ADVERTISE FOR SEALED BIDS FOR TWO SAFES LOCATED IN THE HISTORIANS OFFICE

Mr. Fabino presented the following:

WHEREAS, Wayne County has determined they have no use for two safes currently located in the Historians Office; now, therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to advertise for sealed bids for the sale and removal of the two safes.

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

RESOLUTION NO. 218-05: AUTHORIZE PAYMENT FOR APPRAISAL SERVICES FOR COUNTY PROPERTY

Mr. Fabino presented the following:

WHEREAS, the Superintendent of Buildings and Grounds was requested to obtain quotes for appraisal services for the county property located at 24 Church Street, Lyons (Former Print Shop Department) and the following quotes were received:

Walker Associates	\$ 900.00
Keuka Appraisal Services, Inc.	\$1,000.00

now, therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to pay \$900.00 to Walker Associates for appraisal of county property located at 24 Church Street, Lyons.

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

RESOLUTION NO. 219-05: AUTHORIZATION TO ADVERTISE FOR JANITORIAL AND CUSTODIAL BIDS FOR THE WAYNE COUNTY HALL OF JUSTICE

Mr. Fabino presented the following:

WHEREAS, the contract for Janitorial and Custodial services for the Wayne County Hall of Justice will expire on April 30, 2005; now, therefore, be it

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise, for bids for the services above, in accordance with specifications prepared by the Superintendent of Buildings and Grounds and approved by the County Attorney as to content and form; and be it further

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

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

RESOLUTION NO. 220-05: AUTHORIZING ROAD SIDE MOWING CONTRACT WITH TOWN OF PALMYRA

Mrs. Chittenden 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 the Town of Palmyra for mowing County road-sides located in the Town at a rate of \$135.01 per mile for the 2005 season.

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

RESOLUTION NO. 221-05: AUTHORIZATION TO ACCEPT BID FOR CORRUGATED METAL PIPE ARCH FOR THE WAYNE COUNTY HIGHWAY DEPARTMENT

Mrs. Chittenden presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for corrugated metal pipe arch for the Wayne County Highway Department, and the bids were opened on Friday, March 11, 2005 at 10:00 a.m. and the following bids were received:

Lane Metal Pipe Corp. \$37,647.00
PO Box 711, May Street
Bath, NY 14810

Chemung Supply Corp. \$35,308.00
PO Box 527, Elmira, NY 14902

now, therefore, be it

RESOLVED, that the bid submitted by Chemung Supply Corp. in the amount of \$ 35,308.00 is hereby accepted; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Chemung Supply Corp. in the amount of \$ 35,308.00.

Mr. Colvin moved the adoption of the resolution. Seconded by Mr. Jenkins. 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 2005, namely:

PROJECT NO. 0572- (A.K.A. 2672) ALDERMAN ROAD PROJECT, C.R. 312, TOWN OF MACEDON

This project provides funds for survey and design of a reconstruction project for the Alderman Road. The Alderman Road Bridge is not included in this project.

Total estimated cost of roads hereby proposed to be constructed - \$50,000

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: March 15, 2005

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 2005, namely:

PROJECT NO. 0573- (A.K.A. 2673) MISC. RESURFACING PROJECT-TOWNS OF MACEDON, WILLIAMSON, SIDUS, ONTARIO AND ARCADIA

The following roads will receive paver placed chip seal and truing and leveling work: 1) Lake Avenue; 2) Lake Road between Lake Avenue and Maken Road; 3) South Geneva Road between Ridge Road and 104; 4) Ridge Road from Ontario Center to the Williamson town line; 5) Hamlets of Williamson and East Williamson; and 6) Vienna Street in the Town of Arcadia.

Total estimated cost of roads hereby proposed to be constructed - \$680,000

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: March 15, 2005

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 2005, namely:

PROJECT NO. 0574- (A.K.A. 2674) VALLEY DRIVE PROJECT, C.R. 253 – TOWN OF ROSE

The easterly half mile of Valley Drive will be reconstructed with this project. The road base will be widened and surface paved 6" of moto-pave cold mix. Shoulder and drainage improvements will also be completed.

Total estimated cost of roads hereby proposed to be constructed - \$95,000

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: March 15, 2005

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 2005, namely:

PROJECT NO. 0575- (A.K.A. 2675) MARBLETOWN ROAD, RESURFACING PROJECT, C.R. 336 – TOWN OF ARCADIA

This project will resurface the Marbletown Road with a truing and leveling course, new pavement and paver placed chip seal. A culvert will be replaced and other minor drainage and shoulder work will be completed.

Total estimated cost of roads hereby proposed to be constructed - \$300,000.

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: March 15, 2005

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 2005, namely:

PROJECT NO. 0576- (A.K.A. 2676) GANANDA PARKWAY RESURFACING PROJECT, C.R. 205A – TOWNS OF WALWORTH AND MACEDON

This project will consist of resurfacing a portion of Gananda Parkway from Eddy Road to West Walworth Road with a paver placed chip seal.

Total estimated cost of roads hereby proposed to be constructed - \$200,000

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: March 15, 2005

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 2005, namely:

PROJECT NO. 0577- (A.K.A. 2677) MISC. CULVERT PROJECT – TOWNS OF ARCADIA, LYONS, GALEN AND WILLIAMSON

This project will consist of replacing four deteriorated culverts on the following county roads: Clyde Marengo, Leach Road, Sandhill Road and Marion East Williamson Road. Bank stabilization, safety improvements and road repaving will also be done.

Total estimated cost of roads hereby proposed to be constructed - \$250,000.

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: March 15, 2005

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 2005, namely:

SUPPLEMENTAL PROJECT NO. 0362- (A.K.A. 2662) LAKE ROAD OVER MAXWELL CREEK, C.R. 101, TOWN OF SODUS
SUPPLEMENTAL APPROPRIATION - \$50,000

The project will consist of repair or replacement of the deteriorated concrete and stone arches that carry Lake Road over Maxwell Creek. Reconstruction and widening of Lake Road at the site will be considered as part of the alternatives analysis.

This supplemental appropriation will provide funds for consultant survey and design of the culvert and roadway over Maxwell Creek.

Original Project Statement adopted per Resolution 204-03 Dated March 19, 2003.

Total estimated cost of roads hereby proposed to be constructed - \$50,000.

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: March 15, 2005

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 2005, namely:

SUPPLEMENTAL PROJECT NO. 0260- (A.K.A. 2660) WALWORTH ROAD PROJECT, C.R. 208 – TOWNS OF WALWORTH AND MACEDON.
SUPPLEMENTAL APPROPRIATION - \$400,000

This will involve the reconstruction of Walworth Road from Eddy Road to a point approximately 500 feet north of Pond road. A major culvert will be replaced, realignment of a curve, subbase reconstruction and major drainage improvements are to be performed. The existing pavement will be ground in place and new moto pave binder, top, and a paver placed chip seal will be constructed.

Original Project Statement adopted per Resolution 217-02 Dated March 20, 2002.

Supplemental Project Statement adopted per Resolution 654-04 Dated: September 21, 2004

Supplemental Project Statement adopted per Resolution 1050-04 Dated: December 21, 2004

Total estimated cost of roads hereby proposed to be constructed - \$400,000.

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: March 15, 2005

James P. Brady, County Superintendent

RESOLUTION NO. 222-05: AUTHORIZATION TO APPROVE 2005 HIGHWAY CONSTRUCTION PROJECT STATEMENTS AND SUPPLEMENTAL PROJECT STATEMENTS AND APPROPRIATE FUNDS

Mrs. Chittenden presented the following:

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

05-72	Alderman Road Project	Town of Macedon	\$50,000
05-73	Misc. Resurfacing Project	Towns of Macedon	
		Williamson, Sodus, Ontario & Arcadia	\$680,000
05-74	Valley Drive Project	Town of Rose	\$95,000
05-75	Marbletown Road Project	Town of Arcadia	
			\$300,000
05-76	Gananda Pkwy Resurfacing Proj	Towns of Walworth & Macedon	\$200,000
05-77	Miscellaneous Culvert Proj	Towns of Arcadia	
		Lyons, Galen & Williamson	\$250,000

and supplemental project statements of proposed work for the following projects:

03-62	Lake Road Project over	Maxwell Creek Project	
		Town of Sodus	\$50,000
02-60	Walworth Road Project	Towns of Walworth & Macedon	\$400,000

now, therefore, be it

RESOLVED, that the Project Statements prepared by the Superintendent of Highways are hereby approved by the Board of Supervisors, and the Chairman of the Board and the Deputy 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:

\$50,000 to D5112.2672 (Road Construction - Alderman Road Project)
\$680,000 to D5112.2673 (Road Construction - Misc. Resurfacing Project)
\$95,000 to D5112.2674 (Road Construction – Valley Drive Project)

\$300,000 to D5112.2675 (Road Construction – Marbletown Road Project)
\$200,000 to D5112.2676 (Road Construction – Gananda Parkway Resurfacing Project)
\$250,000 to D5112.2677 (Road Construction – Miscellaneous Culvert Project)
\$50,000 to D5112.2662 (Road Construction – Lake Road over Maxwell Creek Project)
\$400,000 to D5112.2660 (Road Construction – Walworth Road Project).

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

RESOLUTION NO. 223-05: AUTHORIZATION TO UPGRADE JR. ENGINEER AND CREATE A SR. ENGINEERING TECHNICIAN POSITION FOR HIGHWAY DEPARTMENT

Mrs. Chittenden presented the following:

RESOLVED, that after review of the civil service specification modifications, the Jr. Engineer position, is hereby upgraded from Grade 25 to Grade 32, effective April 1, 2005 and one (1) Sr. Engineering Technician (D5020.1693) is hereby created, and the Highway Superintendent is hereby authorized and directed to fill the newly created position by promotion from within the County Highway Department, effective April 1, 2005; and be it further

RESOLVED, that one (1) of the two (2) Jr. Engineer positions be abolished in the Highway Department; and be it further

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

\$24,130 from D5020.1254 (Highway Engineering - Jr. Engineer)

\$24,130 to D5020.1693 (Highway Engineering – Sr. Engineering Technician)

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

RESOLUTION NO. 224-05: AUTHORIZATION TO FILL SEASONAL POSITIONS FOR HIGHWAY DEPARTMENT

Mrs. Chittenden presented the following:

RESOLVED, that the Wayne County Highway Superintendent is hereby authorized to fill the following seasonal positions at the hourly rates stated for the Wayne County Highway Department:

One (1) Engineer Tech, Seasonal - \$13.819

Eight (8) Seasonal Motor Equipment Operator #2 - \$12.587 for first seasonal year, \$13.587 for more than one (1) year experience; and

Five (5) Seasonal Laborers - \$7.50 for first seasonal year, \$8.50 for more than one (1) year experience.

Mr. Colvin moved the adoption of the resolution. Seconded by Mr. Guelli. 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" MONIES

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 2005, namely:

PROJECT NO. 0578- (A.K.A. 2678) SINAGE, ALL OF WAYNE COUNTY

This project consist of an engineering firm conduction a survey and compliance for all Wayne County signs and all the 15 towns.

Total estimated cost of roads hereby proposed to be constructed - \$172,000.

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: March 15, 2005

James P. Brady, County Superintendent

RESOLUTION NO. 225-05: AUTHORIZATION TO APPROVE 2005 HIGHWAY CONSTRUCTION PROJECT STATEMENT AND APPROPRIATE FUNDS

Mrs. Chittenden presented the following:

WHEREAS, in accordance with Section 115 of the Highway Law, the Superintendent of Highways has prepared project statements of proposed work for the following projects utilizing CHIPS funding:

05-78 Signage Project All of Wayne County
\$172,000

now, therefore, be it

RESOLVED, that the Project Statements prepared by the Superintendent of Highways are hereby approved by the Board of Supervisors, and the Chairman of the Board and the Deputy 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:

Account No. D5112 -Road Construction

\$172,000 from .2600 (Highway Construction) to .2678 (Signage Project).

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

RESOLUTION NO. 226-05: AUTHORIZING TO EXECUTE AGREEMENT BETWEEN THE COUNTY OF WAYNE AND LU ENGINEERS

Mrs. Chittenden 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 Lu Engineers for the Wayne County Signage Project for the contract period of May 1, 2005 to September 30, 2005, at a cost not to exceed \$172,000.

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

RESOLUTION NO. 227-05: AMEND INTER-MUNICIPAL AGREEMENT BETWEEN ONTARIO COUNTY, WAYNE COUNTY AND WATS

Mr. Frederick presented the following:

WHEREAS, the Ontario County Board of Supervisors has entered into an inter-municipal agreement with Wayne County to allow the Wayne Area Transportation Services, Inc. ("WATS") to provide closed-door public transit services from Wayne County to Ontario County for medical services, and

WHEREAS, the County of Wayne, the County of Ontario and "WATS" would like to amend said agreement to include closed-door public transit services from Wayne County to Ontario County and Ontario County to Wayne County for employment opportunities, now therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to sign an amendment to the agreement between Wayne County, Ontario County and "WATS" to allow for closed-door public transit services to for the transportation of Wayne County Welfare-to-Work participants to place of employment in Ontario County and/or allow participants to transfer to the County Area Transit System (CATS) and shall allow for reciprocal services of "CATS" to transport Ontario County Welfare-to-Work recipients into Wayne County.

Mr. Hoffman moved the adoption of the resolution. Seconded by Mr. Guelli. Upon roll call, adopted.

RESOLUTION NO. 228-05: AUTHORIZING AGREEMENT WITH WAYNE COUNTY ACTION

PROGRAM, INC. FOR PAYMENT OF 2005 COUNTY APPROPRIATIONS FOR COMMUNITY ACTION PROGRAMS

Mr. Frederick presented the following:

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

WHEREAS, pursuant to Section 99-h of the General Municipal Law, the Board of Supervisors of the County of Wayne has appropriated funds for the year 2005 to be used to help defray the portion of the costs of certain programs which are not reimbursed by the Federal government, as follows:

Wayne County Action Program, Inc.	\$43,983
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now, therefore, be it

RESOLVED, pursuant to Section 99-h of the General Municipal Law, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute an agreement with Wayne CAP providing for payment of such appropriations in one lump-sum payment in the amount of \$43,983.00 upon submission by Wayne CAP of a claim for payment and after audit and approval of the claim by the Board of Supervisors; and be it further

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

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

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

RESOLUTION NO. 229-05: AUTHORIZATION TO AMEND RESOLUTION NO. 1010-04 AUTHORIZING THE AGREEMENT OF OXYGEN SERVICES FOR THE WAYNE COUNTY NURSING HOME

Mr. Frederick presented the following:

WHEREAS, Resolution #1010-04 authorized the Chairman of the Wayne County Board of Supervisors to execute a contract on behalf of the Wayne County Nursing Home, subject to the County Attorney's approval as to form and content, with Northeast Medical Repairs, Inc. for the provision of oxygen services to the Wayne County Nursing Home during the period of 1/1/05 – 12/31/05; and

WHEREAS, the rates submitted by Northeast Medical Repairs, Inc. were fixed rates regarding a three (3) year contract; now, therefore, be it

RESOLVED, that Resolution No. 1010-04 is hereby amended for the purpose of changing the term of the agreement; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Northeast Medical Repairs, Inc. for the provision of oxygen services to the Wayne County Nursing Home during the period of 1/1/05 – 12/31/08.

Mr. Guelli moved the adoption of the resolution. Seconded by Mr. Hoffman. Upon roll call, adopted.

RESOLUTION NO. 230-05: 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. D5110 – Maintenance of Roads & Bridges

\$16,300 from .4107 (Bituminous Liquid)

Account No. D5111 – Road Striping & Sign Maintenance

\$16,300 to .4160 (Paint)

Account No. D5142 – Snow Removal

\$7,000 from .1244 (MEO#) to .1268 (HEO)

Account No. A3140 – Probation

\$440 from .2300 (Motor Vehicles) to .2200 (Office Equipment)

Account No. A3410 – Mutual Aid

\$26,159 from .1104 (Clerk-Typist) to .1122 (Account Clerk)

Account No. A4019 – Wayne Community Nursing Care

\$12,676 from .1283 (RPN-PT) to .1210 (LPN)

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

RESOLUTION NO. 231-05: AUTHORIZATION TO SIGN CONTRACT AND PURCHASE HARDWARE AND SOFTWARE TO SUPPORT MIGRATION OF SHERIFF APPLICATION FOR THE JAIL MANAGEMENT SYSTEM

Mr. Colvin presented the following:

WHEREAS, the County funded the purchase of Hardware and Software out of the H1904 Computer Equipment by resolution #895-04 in the amount of \$373,500; and

WHEREAS, the County moved all project funds into a Capital Reserve by Resolution #1054-04; and

WHEREAS, the Board passed a resolution transferring the \$373,500.00 into various line items in the 2005 Data Processing Budget; and

WHEREAS, this purchase of the Server and Software will migrate all Sheriff Applications from the AS400 to a PC Server solution; now, therefore, be it

RESOLVED, that the Director of Data Processing is hereby authorized to purchase equipment and software as follows:

1 Network Server	\$30,000.00 (A1680.2200)
MPR Software	\$150,000.00 (A1680.4475)
Server Software	\$10,000.00 (A1680.4475)

and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract with MPR Technologies on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content at a total cost not to exceed \$190,000.

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

RESOLUTION NO. 232-05: AUTHORIZATION TO CREATE LINE ITEM FOR DEPUTY DIRECTOR POSITION IN WAYNE BEHAVIORAL HEALTH NETWORK BUDGET AND TRANSFER FUNDS

Mr. Guelli presented the following:

WHEREAS, the Principal Account Clerk position was eliminated and a Deputy Director of Administration position was created for Wayne Behavioral Health Network for 2005; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized and directed to create line item .1692 (Deputy Director for Administration) within Account No. A4330-AGENCY

ADMINISTRATION-LGU; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to make the following transfer of funds within Account No. A4330-AGENCY ADMINISTRATION-LGU \$48,000 from .1490 (Accountant) to .1692 (Dep. Dir Admin).

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

RESOLUTION NO. 233-05: AUTHORIZATION TO RENEW SERVICE AGREEMENT BETWEEN CATHOLIC FAMILY CENTER-RESTART SUBSTANCE ABUSE SERVICES-HANNICK HALL AND COMMUNITY COUNSELING CENTER OF WAYNE BEHAVIORAL HEALTH NETWORK

Mr. Guelli presented the following:

WHEREAS, the Hannick Hall substance abuse program of the Catholic Family Center has had a successful service provision agreement with the Community Counseling Center of WBHN for mental health treatment of Hannick Hall residents; and

WHEREAS, said agreement is due for renewal; now, therefore, be it

RESOLVED, that the Director of Community Services is authorized to enter into a renewed service agreement with Catholic Family Center on behalf of the Community Counseling Center for 2005, subject to approval as to form and content by the County Attorney, for the agreement period of 2/11/05-2/10/06 with no cost to the County.

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

RESOLUTION NO. 234-05: AUTHORIZATION FOR BUILDINGS AND GROUNDS TO INSTALL DOME SECURITY MIRRORS AT WAYNE BEHAVIORAL HEALTH NETWORK AND TO TRANSFER FUNDS

Mr. Guelli presented the following:

WHEREAS, the Public Health Building Safety Plan approved by the Board of Supervisors includes a provision that "overhead mirrors will be installed at all hallway blind-corners" (Section XIII, "Violence Prevention" Article 2); and

WHEREAS, Wayne Behavioral Health Network wishes to fully comply with Health Building safety policy; now, therefore, be it

RESOLVED, that the Buildings and Grounds Dept. is hereby authorized to purchase and install said mirrors for Wayne Behavioral Health Network at a total cost not to exceed \$900.00:

3-Full Dome Mirrors	\$224.16
6-Half Dome Mirrors	\$261.54
6-Quarter Dome Mirrors	\$148.44
Labor	\$250.00 (estimate)
Total:	\$884.14

and be it further

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

Account No. A4330 - AGENCY ADMINISTRATION

\$900 from .4150 (Office Supplies) to .4396 (Bldg Maint-Work Orders).

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

RESOLUTION NO. 235-05: AUTHORIZATION TO AMEND CONTRACT WITH ROBERTA LINDNER-CIOPIK, FOR OCCUPATIONAL THERAPY SERVICES FOR THE COMMUNITY SERVICES CENTER OF WAYNE BEHAVIORAL HEALTH NETWORK

Mr. Guelli presented the following:

WHEREAS there is a continued need for occupational therapy to assist in the delivery of continuing day treatment services to individuals experiencing significant and persistent mental illness; and

WHEREAS Roberta Lindner-Ciopyk has consistently delivered excellent services to clients in the Wayne Community Services Center with no increase in hourly rate for two years; and

WHEREAS, an increase in hourly rate of \$.25 can be accommodated within budgeted funds for the program; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors, is authorized to enter into an amended contract, subject to the County Attorney's approval as to form and content, with Roberta Lindner-Ciopyk for occupational therapy services to the Wayne Community Services Center of WBHN at an hourly rate of \$21.50, for the period of 3/1/05 – 12/31/05.

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

RESOLUTION NO. 236-05: AUTHORIZATION TO AMEND 2005 CONTRACT WITH WAYNE COUNTY ASSOCIATION FOR RETARDED CITIZENS FOR MENTAL HYGIENE SERVICES AND AMEND 2005 WAYNE BEHAVIORAL HEALTH NETWORK BUDGET

Mr. Guelli presented the following:

WHEREAS, resolution 966-04 authorized a contract with Wayne County ARC for the provision of mental hygiene services for 2005 at a total cost not to exceed \$441,770; and

WHEREAS, subsequent communication from New York State Office of Mental Retardation and Developmental Disabilities has documented that available 2005 State Aid for ARC services is greater than anticipated; and

WHEREAS, no increase in County cost would be incurred; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to enter into an amended contract with Wayne County ARC for the provision of mental hygiene services, subject to approval as to form and content by the County Attorney, for the period 1/1/05-12/31/05, at a total cost not to exceed \$449,911.

RESOLVED, that the 2005 WBHN budget is amended as follows:

Account No. A4322- Contracted Mental Health Services

.3495 ARC-MR increase	\$ 8,141
.4608 ARC-MR increase	\$ 8,141

Vocational rehabilitation (OMH)	\$ 6,924
OMRDD 620	\$ 60,000
OMRDD non 620	\$368,219
County tax revenues	\$ 14,768
	\$449,911

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

RESOLUTION NO. 237-05: AUTHORIZATION TO ABOLISH RECEPTIONIST POSITION AND CREATE A PART TIME CLERK – TYPIST POSITION.

Mr. Guelli presented the following:

WHEREAS, Wayne County Public Health Department currently has a vacant Receptionist, P.T position; and

WHEREAS, the Health Dept would like to abolish this position and replace it with a Clerk-Typist, P.T. position due to the expanded job description; and

WHEREAS, the grade is the same; now, therefore, be it

RESOLVED that the Public Health Director is hereby authorized to create, advertise for and fill a Clerk-Typist, P.T.

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

RESOLUTION NO. 238-05: AUTHORIZATION TO AMEND RESOLUTION NO 673-04 OF

THE MIGRANT AND SEASONAL FARMWORKER HEALTH GRANT FOR CONTRACT PERIOD JANUARY 1, 2005 – DECEMBER 31, 2005.

Mr. Guelli presented the following:

WHEREAS, the NYS DOH has provided an additional \$900.00 to cover travel expenses to the Migrant Program's spring conference to be held in Albany on March 29 – 30, 2005; and WHEREAS, this brings the total award to \$75,900; now, therefore, be it

RESOLVED, that the Wayne County Director of Public Health is hereby authorized to submit an amended budget to the NYS DOH; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed 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. Lyon moved the adoption of the resolution. Seconded by Mr. Frederick. Upon roll call, adopted.

RESOLUTION NO. 239-05: AUTHORIZING CONTRACT WITH PROVIDERS FOR SERVICES FOR THE WOMEN'S HEALTH PARTNERSHIP GRANT

Mr. Guelli presented the following:

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

WHEREAS, the following 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 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 contract period 4/1/05 - 3/31/06.

Arcadia Family Practice
Canal Park Family Medicine
Clifton Springs Hospital and Clinic/Finger Lakes Breast Care
East Hill Family Medical Group, LLP
Elizabeth Wende Breast Clinic
Finger Lakes Medical Associates, LLP
Finger Lakes Regional Health System, Inc.
Morgos, Faig, MD
Pulvino, A. Thomas, MD
ViaHealth of Wayne
Walker, Allan R., MD
Wayne Medical Group

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

Mr. Guelli moved, seconded by Mr. Guelli, that the resolution regarding Authorization to Execute Amended Preferred Care Facility Services Agreement for home Care Services be held for review and to be acted upon later in the meeting. Upon roll call, carried.

RESOLUTION NO. 240-05: AUTHORIZATION TO RENEW CONTRACT WITH CHRISTINA MORSE AS A PART-TIME NURSE PRACTITIONER FOR THE PUBLIC HEALTH DEPARTMENT AND TO INCREASE PAY RATE

Mr. Guelli presented the following:

WHEREAS, Christina Morse, NP wishes to renew her current agreement with the County and to increase pay rate by 3 %; and

WHEREAS, Wayne County Public Health Services is in need of a Nurse Practitioner to cover the Sexually Transmitted Disease Clinic and other preventive health services provided by the Public Health Department; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract with Christina Morse for the period April 1, 2005 to March 31, 2006 in the amount of \$43.70 per hour for up to eight hours per week.

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

RESOLUTION NO. 241-05: AUTHORIZATION TO SUBMIT BUDGET AND WORKPLAN AND EXECUTE CONTRACT WITH NEW YORK STATE DEPARTMENT OF HEALTH FOR LEAD PREVENTION GRANT FUNDS

Mr. Guelli presented the following:

WHEREAS, an operating budget, work plan and funding request must be submitted to the New York State Department of Health to secure the following funding for the period 04/01/05– 03/31/06 in the amount of \$30,000 for the childhood lead poisoning prevention program; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized and directed to submit the operating budget, funding request and work plan required to secure such funding; and be it further

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

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

RESOLUTION NO. 242-05: DECLARATION OF BAD DEBT FOR PUBLIC HEALTH DEPARTMENT

Mr. Guelli presented the following:

WHEREAS, the Wayne County Public Health Dept. is required to acknowledge Bad Debt annually; now, therefore, be it

RESOLVED, that the Board of Supervisors acknowledges the amount of \$4,969.00 as 2005 Declaration from services provided in 2003.

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

RESOLUTION NO. 243-05: AUTHORIZE AMENDMENT TO CLYDE RIVER DREDGING CONTRACT

Mr. Spickerman presented the following:

WHEREAS, Wayne County was awarded \$40,000 from Senator Michael Nozzolio to dredge portions of the Clyde River and restore flow conditions to the River; and

WHEREAS, before permits can be issued for the project to proceed, the County must address concerns raised by DEC and the Army Corps of Engineers with regard to the width of the dredged area, spoils testing and the reclamation plan for the proposed spoils disposal area; and

WHEREAS, the contract with the New York State Department of State expired on July 31, 2004; and

WHEREAS, any costs incurred subsequent to July 31, 2004 will be ineligible for reimbursement in the absence of a fully executed contract amendment; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to execute a contract amendment on behalf of the County with the New York State Department of State extending the term of the contract until July 31, 2005, subject to approval as to form and content by the County Attorney.

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

RESOLUTION NO. 244-05: AUTHORIZATION TO RELEASE NOTE AND MORTGAGE

Mr. Spickerman presented the following:

WHEREAS, the Bishop Sheen Ecumenical Housing Foundation (Bishop Sheen Housing) administers a housing rehabilitation program, which is funded through the NYS Division of Housing and Community Renewal HOME Program, on behalf of Wayne County; and

WHEREAS, Bishop Sheen Housing formerly administered a Community Development Block Grant (CDBG) housing rehabilitation program on behalf of Wayne County; and

WHEREAS, pursuant to the provisions of the HOME program, Shawn and Tonya Long were approved and received a grant totaling \$4,000; and

WHEREAS, pursuant to the provisions of the CDBG program, Shawn and Tonya Long were approved and received a grant totaling \$11,000; and

WHEREAS, the house has been refinanced and the mortgage company has sent a check to the County in the amount of \$3,750.00; now, therefore, be it

RESOLVED, that the Wayne County Attorney is authorized and directed to release the County's lien upon this property for both the HOME grant and the CDBG grant.

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

RESOLUTION NO. 245-05: ACCEPT GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR IMPROVEMENTS TO COUNTY ERIE CANAL PARKS

Mr. Spickerman presented the following:

WHEREAS, Congressman James Walsh has awarded Wayne County \$79,528 for improvements to the County's Erie Canal Parks; now therefore, be it

RESOLVED, that the Wayne County Board of Supervisors accepts this grant and authorizes and directs the Chairman of the Board of Supervisors to execute all documents related to this project, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 246-05: DECLARATION OF INTENT TO ACT AS LEAD AGENCY FOR THE CLYDE RIVER DREDGING PROJECT

Mr. Spickerman presented the following:

WHEREAS, pursuant to the provisions of SEQRA and the rules and regulations promulgated there under, the Wayne County Planning Department will prepare, on behalf of the County of Wayne, and will file with the Clerk of the Board of Supervisors, an Environmental Assessment Form for the proposed Clyde River Dredging Project (the "Project"); and

WHEREAS, the Project is determined to be a Type I Action requiring the County to conduct a coordinated review in accordance with SEQRA; now, therefore, be it

RESOLVED, that the Board of Supervisors will hereby accept the Environmental Assessment Form, upon approval as to form and content by the County Attorney, to be filed with the Clerk and declare its intention to serve as lead agency for the purpose of conducting a SEQRA review of the Project; and be it further

RESOLVED, that the Board of Supervisors makes the determination that the County of Wayne, the New York State Department of Environmental Conservation, the U.S. Army Corps of Engineers and the Town of Galen are involved agencies; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to send written notification to these involved agencies requesting that they agree to have the County of Wayne serve as lead agency for the review of the Project.

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

RESOLUTION NO. 247-05: AUTHORIZE SUBORDINATION AGREEMENT FOR CAROL ROSATI

Mr. Spickerman presented the following:

WHEREAS, the Bishop Sheen Ecumenical Housing Foundation administers a New York State HOME Program grant for housing rehabilitation on behalf of Wayne County; and

WHEREAS, pursuant to the provisions of this program, Carol Rosati was approved and received a grant in August of 2004 totaling \$15,195; and

WHEREAS, Ms. Rosati desires to refinance her home at a lower interest rate and to make necessary home improvements; and

WHEREAS, this request has been reviewed by the staff of the Bishop Sheen Housing Foundation and they have recommended approval of a subordination agreement; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to execute a subordination agreement, subject to approval of the County Attorney as to form and content, which will be recorded in the Office of the Wayne County Clerk.

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

RESOLUTION NO. 248-05: AUTHORIZE COMP TIME BUYOUT FOR SENIOR PLANNER

Mr. Spickerman presented the following:

WHEREAS, the Board of Supervisors included in the 2005 Planning Budget a provision to buyout the accrued comp time for Senior Planner Bret DeRoo; now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes and directs the County Treasurer to provide payment to Bret DeRoo in the amount of \$18,680.21 which represents 732.50 hours of comp time at an hourly rate of \$25.502.

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

RESOLUTION NO. 249-05: MEMO OF UNDERSTANDING BETWEEN COUNTY OF WAYNE, WAYNE COUNTY ZONE ADMINISTRATIVE BOARD AND NEW YORK STATE DEPARTMENT OF LABOR, WAYNE COUNTY OFFICE, CURRENTLY LOCATED IN NEWARK, NY

Mr. Spickerman presented the following:

WHEREAS, an Agreement between Wayne County, the Wayne County Zone Administrative Board and the Wayne County Industrial Development Board, that outlines interaction between the three entities as they relate to the administration of the Wayne County Empire Zone, has been approved by the Wayne County Zone Administrative Board and the New York State Department of Labor; now, therefore, be it

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

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

RESOLUTION NO. 250-05: AUTHORIZE FUNDING TO SUBSIDIZE PURCHASE OF AQUATIC WEED HARVESTER AND TRANSFER FUNDS

Mr. Spickerman presented the following:

WHEREAS, Resolution 126-05 authorized a contribution in the amount of \$45,000 to subsidize the purchase of the aquatic weed harvester and custom dump truck; and

WHEREAS, the total project cost is estimated to be \$150,000, with \$50,000 available from a grant provided to the Wayne County Soil and Water Conservation District by Senator Nozzolio, a contribution of \$25,000 from Save our Sodus, Inc. and funding from the Wayne County Soil and Water Service in the amount of \$30,000; now, therefore, be it

RESOLVED, that the County Treasurer is authorized and directed to provide payment in the amount of \$45,000 to the Wayne County Soil and Water Conservation District to subsidize

the purchase of an aquatic weed harvester and custom dump truck; and be it further
RESOLVED, that the funds shall be obtained from Account No. A8020.4554 Planning
Board Contractual Expense (Aquatic Weed Harvester).

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

**RESOLUTION NO. 251-05: AUTHORIZATION TO AMEND ECONOMIC DEVELOPMENT
ZONE ADMINISTRATION BUDGET FOR 2005**

Mr. Spickerman presented the following:

RESOLVED, that the county treasurer is hereby authorizes to amend the 2005 budget as
follows:

Account No. A8687 - Economic Development Zone Admin

Decrease Revenues .3720 (Empire Zone) by \$1,019

Decrease Appropriations .4410 (Conference) by \$1,019.

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

**RESOLUTION NO. 252-05: AUTHORIZATION TO APPOINT MEMBER TO THE EMPIRE
ZONE ADMINISTRATIVE BOARD**

Mr. Spickerman presented the following:

WHEREAS, Wayne County has received designation of an Empire Zone under the 2002
application for Empire Zone Designation pursuant to Article 18-B-New York State Empire
Zones Act; and

WHEREAS, a "Local Empire Zone Administrative Board" must be designated by the
applicant to be responsible for monitoring, evaluating and coordinating all empire zone benefits
on behalf of the applicant; and

WHEREAS, Wayne county has determined that a board of up to fifteen members be
created to best reflect the needs and interests of the County; and

WHEREAS, the County desires to appoint one position on the Empire Zone
Administrative Board immediately; now, therefore, be it

RESOLVED, that the following individual is hereby appointed to the individual terms of
office taking effect immediately and expiring December 31, 2006:

Charles C. Bridger

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

**RESOLUTION NO. 253-05: RESOLUTION TO AUTHORIZE ACCEPTANCE OF
GOVERNOR'S OFFICE FOR SMALL CITIES GRANT, EXECUTE SUB-RECIPIENT
AGREEMENT AND DESIGNATE ENVIRONMENTAL CERTIFYING OFFICER**

Mr. Spickerman presented the following:

WHEREAS, Wayne County has been awarded a \$15,000 Community Development Block
Grant administered by the New York State Governor's Office for Small Cities for Technical
Assistance to help create a Strategic Plan, and in order to implement the Grant, the following
resolutions must be passed; now, therefore, be it:

RESOLVED, that the County of Wayne accepts Grant #1219TA230-04 approved under
the New York State Small Cities Community Block Grant Program for the development of a
strategic plan that will draw together the economic development goals of each of the individual
Towns and Villages that have Empire Zone acreage located in them. The Wayne County
Empire Zone is required to contribute \$10,000 toward the total cost of the development of the
plan; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized
to execute the Grant Agreement and any other documents required for the implementation of
the Agreement 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 Chairman of the Wayne County Board of Supervisors is authorized to execute a Sub-recipient Agreement on behalf of the County of Wayne, subject to the County's Attorney's approval as to form and content, with the Wayne County Industrial Development Agency for the operation and administration of the Grant under guidelines approved by the State of New York.; and be it further

RESOLVED, that the Chairman of the Board of Supervisors appoints the Director of the County of Wayne Planning Department as the Certifying Officer responsible for all activities associated with the environmental review process to be complete in conjunction with the Grant.

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

Mr. DeSanto moved, seconded by Mr. Guelli, that the resolution regarding Authorization to Execute Amended Preferred Care Facility Services Agreement for home Care Services be put back on the floor. Upon roll call, carried.

RESOLUTION NO. 254-05: AUTHORIZATION TO EXECUTE AMENDED PREFERRED CARE FACILITY SERVICES AGREEMENT FOR HOME CARE SERVICES (EXHIBIT B.5)

Mr. Guelli presented the following:

WHEREAS, Wayne County Public Health entered into a contract with Preferred Care to become a participating provider of home care serves, prevent services and flu and pneumovax vaccine administration coverage; and

WHEREAS, Preferred Care wishes to amend the current agreement to reflect changes to the Home Care Services rate schedule, (see attached); now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an amended agreement on behalf of the County of Wayne and Wayne County Public Health Services, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 255-05: AUTHORIZATION TO TRANSFER FUNDS FROM RESERVED FUND TO DWI-SPECIAL TRAFFIC PROGRAM

Mr. Hoffman presented the following:

WHEREAS, the 2005 County Budget was adopted utilizing the rates for utilities of 2004 for the STOP-DWI department and

WHEREAS, equipment which was to be purchased out of the 2004 budget was charged to the 2005 budget, and

WHEREAS, the 2005 budget needs to be modified to increase utilities for 2005 and increase the 2005 equipment account by the 2004 purchases, now therefore be it

RESOLVED, that the County Treasurer is authorized to make the following amendment to the 2005 County Budget:

Transfer \$ 11,978.00 from A889 Reserved Fund Balance-DWI into:

Account No. A3315 – SPECIAL TRAFFIC PROGRAM:

- \$10,826.00 to .2500 Other Equipment
- \$ 40.00 to .4210 Gas
- \$ 280.00 to .4220 Light & Power
- \$ 832.00 to .4438 Maintenance & Repairs

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

RESOLUTION NO. 256-05: AUTHORIZE CHAIRMAN TO SIGN CERTIFICATION OF PARTICIPATION FOR EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM

Mr. Hoffman presented the following:

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign a Certificate of Participation for Federal Fiscal Year 2005 in the Emergency Management Performance Grant Program; and be it further

RESOLVED, that Wayne County's allocation is \$22,978 for personnel and administrative expenses associated with the local emergency management program.

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

RESOLUTION NO. 257-05: AUTHORIZATION TO PURCHASE SOFTWARE AND TRANSFER CAPITAL RESERVE FUNDS INTO 2005 OPERATING BUDGET FOR EMERGENCY MANAGEMENT

Mr. Hoffman presented the following:

WHEREAS, the County of Wayne 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 Projects; now therefore be it

RESOLVED, that the Director of Emergency Management is hereby authorized to purchase tracking software for use with L/TRON Scanner and Tablet PC for tracking Driver's Licenses at Ginna Drills at EOC for \$2,145 from the field supplies line item; and be it further

RESOLVED, that the County Treasurer is hereby authorized to transfer \$14,331.90 from Capital Reserve Fund 878 to the following line items within Account No. A3640 – Emergency Management:

\$10,000 to .4549 (Mitigation Plan)

\$2,186.90 to .4500 (Fees for Service)

\$2,145.00 to .4126 (Field Supplies).

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

RESOLUTION NO. 258-05: AUTHORIZE TO CREATE LINE ITEM AND TRANSFER OF FUNDS FOR EMERGENCY MANAGEMENT OFFICE

Mr. Hoffman presented the following:

WHEREAS, Res. No. 405-04 authorized a contract with Genesee/Finger Lakes Regional Planning Council for development of a County Mitigations plan that will include county towns and villages; now, therefore, be it

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

A3640 – Emergency Management Office

\$49,880 to .4549 (Mitigation Plan)

\$31,500 to .4961 (FEMA – Pre Disaster Mitigation)

A1990 – Contingent Fund General

\$18,380.00 from .4000 (Contractual Expense)

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

RESOLUTION NO. 259-05: AUTHORIZATION TO DECLARE VEHICLES SURPLUS FOR THE SHERIFF'S OFFICE

Mr. Hoffman presented the following:

RESOLVED, that the following vehicles, no longer of use to the Wayne County Sheriff, are hereby declared surplus and the vehicle has been moved to Central Garage and disposed of in accordance with the Surplus Vehicle Disposition Procedure Outlined in Resolution No. 375-91:

1990 Ford Thunderbird VIN: 1FAPP6044LH175945 Mileage: 117,674

2000 Ford Crown Victoria VIN: 2FAFP71W7YX106711 Mileage: 124,013

2000 Ford Crown Victoria VIN: 2FAFP71WXYX106704 Mileage: 132,911

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

RESOLUTION NO. 260-05: AUTHORIZATION TO ACCEPT GRANT FROM THE NYS GOVERNOR'S TRAFFIC SAFETY COMMITTEE, CREATE LINE ITEM AND MODIFY BUDGET

Mr. Hoffman presented the following:

WHEREAS, The Wayne County Office of Sheriff has received a grant in the amount of \$20,790 in equipment funds from the Governor's Traffic Safety Committee for participation in the TraCS Program TR-5900101 – Electronic Ticket and Accident Report Project (TraCS) (October 1, 2004 – September 30, 2005); now, therefore, be it

RESOLVED, that the Grant is hereby accepted in equipment funds in the amount of \$20,790; and be it further

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

RESOLVED, that the County Treasurer is hereby authorized and directed to create revenue line .3363 (Traffic Safety) within Account No. A3110 – Sheriff and modify as follows for the purchase of this equipment.

Increase A3110.2500 (Other Equipment) by \$20,790

Increase newly created Revenue Account A3110.3363 (Traffic Safety) by \$20,790.

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

RESOLUTION NO. 261-05: AUTHORIZATION TO ACCEPT GRANT FROM THE NYS GOVERNOR'S TRAFFIC SAFETY COMMITTEE AND MODIFY BUDGET

Mr. Hoffman presented the following:

WHEREAS, The Wayne County Office of Sheriff has received a grant in the amount of \$7,019 in overtime funds from the Governor's Traffic Safety Committee for participation in the Selective Traffic Enforcement Program (STEP) (October 1, 2004 – September 30, 2005); now, therefore, be it

RESOLVED, that the Grant in the amount of \$7,019 is accepted for overtime funds; and be it further

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

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

A3114 - Road Patrol

Increase appropriations .1912 Overtime STEP \$7,019

Increase revenues .3370 DCJS Grant \$7,019.

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

RESOLUTION NO. 262-05: AUTHORIZATION TO AMEND RESOLUTION NO. 935-04 AUTHORIZING AGREEMENT WITH CENTRAL NY PSYCHIATRIC CENTER SECURITY AGREEMENT

Mr. Hoffman presented the following:

WHEREAS, the Chairman of the Wayne County Board of Supervisors and the Wayne County Sheriff were authorized to enter into a one (1) year agreement; and

WHEREAS, the actual agreement received by the Oneida County Office of Sheriff was a

two (2) year agreement (January 1, 2005 until December 31, 2006) with the mutual understanding that this agreement may be renewed for an additional term of one (1) year to include January 1, 2007 until December 31, 2007.

RESOLVED, that Wayne County Board of Supervisors enter into an agreement with the Central NY Psychiatric Center for purpose of providing security services for inmates receiving mental health treatment for a period of January 1, 2005 until December 31, 2006.

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

RESOLUTION NO. 263-05: AUTHORIZING SECURITY SERVICES AGREEMENT BETWEEN NEW YORK STATE UNIFIED COURT SYSTEM (UCS) AND WAYNE COUNTY

Mr. Hoffman presented the following:

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

WHEREAS, UCS has submitted a Security Services Agreement for a five-year period beginning April 1, 2004 and ending March 31, 2009, establishing a maximum reimbursable amount of \$330,000 for the annual period of the agreement commencing April 1, 2004 and ending March 31, 2009; now, therefore, be it

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

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

RESOLUTION NO. 264-05: AUTHORIZATION TO CONTRACT WITH MICHAEL SCHANK, POLYGRAPH OPERATOR, FOR SHERIFF'S OFFICE

Mr. Hoffman presented the following:

RESOLVED, that the Chairman of the 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 Michael Schank, Polygraph Operator, to conduct Employment pre-testing at \$150 per perspective employee for the Wayne County Office of Sheriff for the contract period of 1/1/05 to 12/31/05.

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

RESOLUTION NO. 265-05: AUTHORIZATION TO APPROVE 2005 STOP-DWI PLAN

Mr. Hoffman presented the following:

WHEREAS, the Stop-DWI Coordinator has prepared and submitted to the Board of Supervisors the Annual Stop-DWI Plan for 2005; and

WHEREAS, the 2004 Stop-DWI Plan shows total expenditures in the amount of \$351,200, in accordance with the following budget summary:

BUDGET SUMMARY--2005 STOP-DWI PLAN

<u>COMPONENT</u>	<u>TOTALS</u>
Enforcement	\$78,857
Court Related	48,814
Probation	112,689
Rehabilitation	10,675
Public Information/Education	55,989
Administration	44,176
Total	\$351,200

RESOLVED, that the 2004 Stop-DWI Plan is hereby approved; and be it further

RESOLVED, that the Stop-DWI Coordinator and the Chairman of the Board of Supervisors are hereby authorized to sign the plan certification as required by the New York

State Department of Motor Vehicles.

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

RESOLUTION NO. 266-05: AUTHORIZING CHEMICAL-FREE PROM AND GRADUATION PARTY GRANTS

Mr. Hoffman presented the following:

RESOLVED, that STOP-DWI is authorized to present a check to each Wayne County school that applies and qualifies for an alcohol/drug free Graduation or Prom Party Grant, total expenditures not to exceed \$2,500.

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

RESOLUTION NO. 267-05: AUTHORIZATION FOR STOP DWI POSTER AWARDS

Mr. Hoffman presented the following:

RESOLVED, that the Wayne County Stop-DWI Program is hereby authorized to present a check to each of 4 winners of the year 2005 STOP DWI Poster Contest and a check of equal value will be given to the SADD Group in the school they attend.

	Individual	SADD Group
1st Prize	\$100	\$100
2nd Prize	75	75
3rd Prize	50	50
4th Prize	<u>25</u>	<u>25</u>
Total	\$250	\$250
Grand Total	\$500	

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

RESOLUTION NO. 268-05: AUTHORIZATION TO FUND PEPP TRAINING CLASS WITH TWIG TRUST FUNDS

Mr. Hoffman presented the following:

WHEREAS, the County of Wayne has received funding to be used to further EMS education in the county from the Myers Hospital TWIG association; and

WHEREAS, a Pediatric Education for Pre-hospital Professionals (PEPP) class has been scheduled for the Ontario Ambulance base on March 19 and March 20, 2005; and

WHEREAS, this training is open to ALS and BLS healthcare providers in Wayne County; now, therefore, be it

RESOLVED, that an expenditure of not more than \$250 from the TWIG trust shall be authorized to assist with tuition, books, and refreshments for the students enrolling in this course; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to process payment, as per total of invoices submitted by E-911 Coordinator, payable from the TWIG Trust account at a total cost not to exceed \$250.

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

RESOLUTION NO. 269-05: AUTHORIZATION TO AMEND RESOLUTION 101-05, THE AUTHORIZATION TO FILL ALS TECHNICIAN PART TIME POSITIONS AND AMEND ALS SERVICES AND E-911 COMMUNICATIONS BUDGETS

Mr. Hoffman presented the following:

WHEREAS, Resolution 101-05 did not have the proper accounting entries to be implemented, and

WHEREAS, Wayne County ALS Services has become as integral part of the Wayne County EMS system, providing both ALS and BLS assistance to the EMS agencies in the

county, and

WHEREAS, the level of EMS activity, and need for ALS availability on weekends is comparable to that of the weekdays, and

WHEREAS, the current weekend ALS Services volunteer program has also demonstrated a system deficiency, in that weekend coverage is not complete, as WCALS volunteers are not always available during the same hours each Saturday and Sunday, resulting in coverage gaps which are a detriment to the EMS system in the County, as such gaps do not allow for agencies to plan on the availability of County services; now therefore, be it

RESOLVED, that this Board of Supervisors does hereby amend resolution #101-05 to read as follows:

RESOLVED, that weekend services of the two Wayne County ALS services fly cars shall be authorized utilizing ALS Technicians employed on a part-time basis for regular shifts of 10 hours each Saturday and Sunday beginning not before March 5, 2005, and be it further

RESOLVED, that the 2005 hourly pay rate for the position of ALS Technician Part-Time shall be \$15.464 with the pay rate for part-time ALS Technicians hereafter to be equivalent to the hire rate for the ALS Technician (FT), and be it further

RESOLVED, that the Director of ALS Services shall be authorized to fill four ALS Technician Part-Time positions, and be it further,

RESOLVED, that the County Treasurer be authorized to make the following amendment to the 2005 County Budget:

A3642-E911 COMMUNICATIONS:

\$7,903.00 from .1489 Public Safety Dispatcher

\$5,275.00 from .4533 Mobile Computer Supply/Repair

A3644 – ALS SERVICES:

\$29,258.00 to .1550 ALS Technician Part-Time

\$ 2,238.00 to .8200 Payment to Social Security

\$18,318.00 to .1615 Other Third Party Payer (REVENUE ACCOUNT).

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

RESOLUTION NO. 270-05: AUTHORIZATION TO ENROLL 911 SHIFT SUPERVISOR IN ONLINE TRAINING COURSE

Mr. Hoffman presented the following:

RESOLVED, that the E-911 Coordinator hereby has permission to enroll PSD Supervisor Gregory DeWolf in an APCO (Association of Public Safety Communications Officials) online Communications Center Supervisor course (#19251), which commences March 16, 2005, at a total cost not to exceed \$379.

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

RESOLUTION NO. 271-05: AUTHORIZE APPOINTMENTS TO THE EMERGENCY MEDICAL SERVICES ADVISORY BOARD

Mr. Hoffman presented the following:

RESOLVED, that the following are hereby appointed the Wayne County Emergency Medical Services Advisory Board , for individual terms of office, for the period 1/1/04 - 12/31/05, and shall be County Officers and shall serve without compensation:

Ontario: Joan Stark

Rose: Michael Harris

Wolcott: David MacDougall

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

RESOLUTION NO. 272-05: AUTHORIZATION TO ADVERTISE FOR BIDS FOR MOBILE AIR SUPPORT VEHICLE

Mr. Hoffman presented the following:

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for bids for a Mobile Air Support Vehicle in accordance with specifications prepared by the Director of Mutual Aid and approved by the County Attorney as to contend and form; and be it further

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

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

RESOLUTION NO. 273-05: AUTHORIZATION TO ADVERTISE FOR BIDS FOR MOBILE AIR COMPRESSOR SYSTEM

Mr. Hoffman presented the following:

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for bids for a Mobile Air Compressor System in accordance with specifications prepared by the Director of Mutual Aid and approved by the County Attorney as to contend and form; and be it further

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

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

RESOLUTION NO. 274-05: AUTHORIZATION TO PURCHASE DESK AND TRANSFER FUNDS FOR MUTUAL AID

Mr. Hoffman presented the following:

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

0501341	1- Desk	695.40
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and be it further

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

Account No. A3410 – Mutual Aid

\$189 from .4600 (Misc) to .2100 (Furniture and Furnishings).

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

RESOLUTION NO. 275-05: IN MEMORIAM – HARRY HALLDOW

Mr. Hoffman presented the following:

WHEREAS, Harry Halldow served Wayne County as Supervisor for the Town of Williamson from January 1, 1976 – December 31, 1985. Throughout his years of service, he diligently served the Citizens of Wayne County with loyalty and dedication. His death is a great loss to his family and the community;

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

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

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

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

RESOLUTION NO. 276-05: AUTHORIZATION TO RENEW CONTRACT WITH VIA-HEALTH OF WAYNE ADULT SOCIAL DAYCARE PROGRAM FOR A CAREGIVER SUPPORT GROUP

Mr. Hammond 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 Via-Health of Wayne Adult Social Daycare Program to host, provide respite daycare services and co-facilitate a Caregiver Support Group with the Wayne County Department of Aging and Youth; and be it further

RESOLVED, that the Caregiver Support Group facilitators will provide group counseling to community members that serve as a primary caregiver to an adult, meeting once a month at Via-Health of Wayne; and be it further

RESOLVED, that the Via Health of Wayne is willing to provide these services at no cost from January 1, 2005 through December 31, 2005.

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

RESOLUTION NO. 277-05: AUTHORIZATION TO APPLY FOR TITLE VII AND LONG TERM CARE OMBUDSMAN PROGRAM (LTCOP) GRANTS

Mr. Hammond presented the following:

WHEREAS, there are grants available that provide advocacy and supportive services to Wayne County residents that are living in Long Term Care facilities; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute grant applications on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, as follows:

Federal Title VII in the amount of \$8,450.00 for the calendar year of 1/1/05 through 12/31/05;

State LTCOP grant in the amount of \$3,900.00 for the state calendar year of 4/1/05 through 3/31/06.

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

RESOLUTION NO. 278-05: AUTHORIZATION TO RENEW CONTRACT WITH HUTHER DOYLE MEMORIAL INSTITUTE FOR DEPARTMENT OF AGING AND YOUTH

Mr. Hammond presented the following:

WHEREAS, that the Wayne County Department of Aging and Youth requests authorization to renew a 2005 contract with Huther Doyle Memorial Institute for the period 1/1/05-12/31/05; and

WHEREAS, Huther Doyle Memorial Institute is required to provide a Wayne County location to operate the Reality Check Program for Wayne County Youth; and

WHEREAS, Reality Check is a youth tobacco prevention program funded by the New York State Tobacco Youth Initiative Grant and Huther Doyle Memorial Institute administers the program and is responsible for hiring and supervising a full-time tobacco prevention coordinator; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Huther Doyle Memorial Institute for the total annual rent amount of \$2,625, which shall be paid in quarterly payments of \$656.25 for the period 1/1/05-12/31/05.

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

RESOLUTION NO. 279-05: 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	\$	2,635,299.43
2. CD Fund	\$	9,088.34
3. D Fund	\$	1,406,985.25
4. DM Fund	\$	72,138.08
5. E Fund	\$	1,116,678.78
6. H Fund	\$	177,601.36

and be it further

RESOLVED, that the following utilities totaling \$95,871.54, processed pursuant to Resolution No. 176-78, are hereby ratified:

1. A Fund	\$	61,127.69
2. CD Fund	\$	359.09
3. DM Fund	\$	3,529.94
4. E Fund	\$	29,565.08

and be it further

RESOLVED, that the checks processed for the Department of Social Services for Special Assessments, totaling \$524.00, are hereby ratified.

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

RESOLUTION NO. 280-05: AMEND RESOLUTION NO. 20-05 SETTING DATE FOR PUBLIC HEARING ON PROPOSED LOCAL LAW EXEMPTING R.E. GINNA NUCLEAR POWER PLANT, LLC FROM TAXATION AND AUTHORIZING THE COUNTY OF WAYNE TO ENTER INTO A PAYMENT IN-LIEU OF TAXES AGREEMENT

Mr. Lyon presented the following:

WHEREAS, Resolution No. 20-05 authorized the Wayne County Board of Supervisors to hold a public hearing on proposed local law exempting R.E. Ginna Nuclear Power Plant, LLC from taxation and authorizing the County of Wayne to enter into a Payment In-Lieu of Taxes Agreement; and

WHEREAS, Tax Parcel SBL #62119-00-850424 was incorrectly identified in the second WHEREAS clause of said Resolution and Section 3. of said Resolution; now therefore be it

RESOLVED, that the second WHEREAS clause of said Resolution is hereby amended to read as follows:

WHEREAS, the Plant has a nameplate rated capacity of 495 megawatts contains real property located in the County and identified on the Town of Ontario tax rolls as Tax Parcel SBL #62119-00-620947, Tax Parcel SBL #62119-00-860424, Tax Parcel SBL #62119-00-426493, and Tax Parcel SBL #62119-00-315465, and includes, without limitation, cooling facilities that extend or may extend into Lake Ontario, any equipment used in generating electricity using nuclear power, equipment leading from the Nuclear Facility to the point of interconnections with the electric transmission system, and property that is or becomes located on the land, but shall not include any equipment in the electric transmission system or any property owned by RG&E; and

RESOLVED, that Section 3. of said Resolution, is hereby amended to read as follows: Section 3. The Plant has a nameplate rated capacity of 495 megawatts contains real property located in the County and identified on the Town of Ontario tax rolls as Tax Parcel SBL #62119-00-620947, Tax Parcel SBL #62119-00-860424, Tax Parcel SBL #62119-00-426493, and Tax Parcel SBL #62119-00-315465, and includes, without limitation, cooling facilities that extend or may extend into Lake Ontario, any equipment used in generating electricity using

nuclear power, equipment leading from the Nuclear Facility to the point of interconnections with the electric transmission system, and property that is or becomes located on the land, but shall not include any equipment in the electric transmission system or any property owned by RG&E. and be it further

RESOLVED, that all other parts of said Resolution are continued in full force and effect.

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

RESOLUTION NO. 281-05: AMEND RESOLUTION NO. 141-05 ADOPTING LOCAL LAW AUTHORIZING THE EXEMPTION OF THE R.E. GINNA NUCLEAR POWER PLANT, LLC FROM TAXATION AND AUTHORIZING THE COUNTY OF WAYNE TO ENTER INTO A PAYMENT IN-LIEU OF TAXES AGREEMENT.

Mr. Lyon presented the following:

WHEREAS, Resolution No. 141-05 adopted a local law exempting R.E. Ginna Nuclear Power Plant, LLC from taxation and authorized the County of Wayne to enter into a Payment In-Lieu of Taxes Agreement; and

WHEREAS, Tax Parcel SBL #62119-00-850424 was incorrectly identified in Section 3, on said Resolution; now therefore be it

RESOLVED, that Section 3, of said Resolution, is hereby amended to read as follows: Section 3. The Plant has a nameplate rated capacity of 495 megawatts contains real property located in the County and identified on the Town of Ontario tax rolls as Tax Parcel SBL #62119-00-620947, Tax Parcel SBL #62119-00-860424, Tax Parcel SBL #62119-00-426493, and Tax Parcel SBL #62119-00-315465, and includes, without limitation, cooling facilities that extend or may extend into Lake Ontario, any equipment used in generating electricity using nuclear power, equipment leading from the Nuclear Facility to the point of interconnections with the electric transmission system, and property that is or becomes located on the land, but shall not include any equipment in the electric transmission system or any property owned by RG&E. and be it further

RESOLVED, that all other parts of said Resolution are continued in full force and effect.

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

RESOLUTION NO. 282-05: AUTHORIZING 2005 LEGAL SERVICES CONTRACT WITH THE LEGAL AID SOCIETY OF WAYNE COUNTY, INC.

Mr. DeSanto presented the following:

RESOLVED, pursuant to Section 244(10) and Section 722 of the County Law, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the Legal Aid Society of Wayne County, Inc. for the provision of legal services in civil matters of indigent residents of Wayne County during the period from January 1, 2005, to December 31, 2005; and be it further

RESOLVED, that in full consideration of the services rendered by the Legal Aid Society during the term of the contract, the County shall pay the sum of \$157,856, payable in equal monthly installments, and shall provide rent-free office space in a County office building.

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

RESOLUTION NO. 283-05: AUTHORIZING 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, 2004 to December 31, 2004; and

WHEREAS, said report shows, the amount of \$13,499.16 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 as follows:

STATEMENT OF AMOUNT REMITTED AND APPORTIONED
Reporting Period: January 1, 2004 to December 31, 2004

Remitting Municipality Apportioned	Amount Remitted	Rate	75% of Surplus
Arcadia	\$ 1775.45	.62471	\$ 1109.14
Butler	653.39		408.19
Galen	1099.00		686.57
Huron	695.87		434.73
Lyons	1356.49		847.42
Macedon	1770.54		1106.07
Marion	1344.67		840.04
Ontario	2028.75		1267.38
Palmyra	1599.12		998.99
Rose	588.77		367.82
Savannah	586.29		366.27
Sodus	2011.02		1256.30
Walworth	2062.60		1288.53
Williamson	1731.26		1081.54
Wolcott	1177.10		735.35
Newark	1128.23		704.82
TOTAL	\$21,608.55		\$13,499.16

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

RESOLUTION NO. 284-05: AUTHORIZATION TO AMEND RES. NO. 105-04 TO ESTABLISH POLICY FOR REIMBURSEMENT TO SNOWMOBILE CLUBS

Mr. Spickerman presented the following:

WHEREAS, New York State Office of Parks, Recreation and Historic Preservation (OPRHP) will not allow Wayne County as "Local Sponsor" to require written landowner permission for the NYSOPRHP Snowmobile grant-in-aid program; and

WHEREAS, Resolution No. 105-04 requires snowmobile clubs to provide written permission regarding snowmobile trail development and maintenance; now, therefore, be it RESOLVED, that Resolution No. 105-04 is hereby amended to read as follows:

"WHEREAS, during the past six years snowmobiling has extended recreation potential on trails to include winter use and snowmobile clubs have participated in the NYS Office of Parks, Recreation and Historic Preservation snowmobile grant program, using grant money to support improving and extending trails for both snowmobile use and hiking and biking use; and

WHEREAS, Wayne County has approximately 6000 registered snowmobiles, four organized clubs and a regional council; and

WHEREAS, New York State Office of Parks, Recreation and Historic Preservation, along with the New York State Snowmobile Association has negotiated and finalized insurance coverage for the clubs through the snowmobile grants-in-aid program; and

WHEREAS, as sponsor of the snowmobile grants-in-aid program, Wayne County requires that clubs include the County in their insurance coverage; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors requires each club to provide copies of their insurance coverage listing the County as additionally insured; and be it further

RESOLVED, that no snowmobile club will be reimbursed for activities conducted under the grants-in-aid program in the absence of insurance coverage as described above”.

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

RESOLUTION NO. 285-05: AUTHORIZE PAYMENT OF INSURANCE PREMIUM TO HAYLOR, FREYER AND COON, INC.

Mr. Lyon presented the following:

WHEREAS, Wayne County has received an Invoice from Haylor, Freyer and Coon, Inc. in the amount of Forty Seven Thousand Two Hundred Fifty-Seven and 00/100 Dollars (\$47,257) for premiums for Health Care Professional and General Liability for the County of Wayne for the period of March 1, 2005 – February 28, 2006, and this invoice needs to be paid; now, therefore, be it

RESOLVED, that the County Treasurer is directed to process a hand-written check made payable to Haylor, Freyer & Coon, Inc. in the amount of Forty Seven Thousand Two Hundred Fifty-Seven and 00/100 Dollars (\$47,257) from Account A1910.4300 (Unallocated Insurance-Contractual Expenses) upon adoption of this resolution.

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

RESOLUTION NO. 286-05: AUTHORIZATION TO APPROVE A CHANGE ORDER FROM ORCHARD EARTH & PIPE CORPORATION AND AMEND CONTRACT FOR BID PACKAGE 1.01 – SITE WORK, WITH ORCHARD EARTH & PIPE CORPORATION

Mr. Colvin presented the following:

WHEREAS, Resolution No. 435-03 authorized the Chairman of the Wayne County Board of Supervisors to execute an Agreement with Orchard Earth & Pipe Corporation for site work for the Wayne County Nursing Home Project; and

WHEREAS, the County of Wayne and Orchard Earth & Pipe Corporation have agreed to amend said Agreement to settle all outstanding contested change orders with Orchard Earth & Pipe Corporation for a total contract modification of \$54,500 and in addition to resolve all other outstanding contract issues; and

WHEREAS, Labella Associates and the Ad-Hoc Committee of the Board of Supervisors for the Nursing Home Project has reviewed the above-mentioned contract amendment, has found it necessary for the completion of the Nursing Home Project, and has given approval for a change order to resolve all outstanding contested change orders with Orchard Earth & Pipe Corporation regarding the new Nursing Home Facility; now, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into an amendment agreement with Orchard Earth & Pipe Corporation, subject to the approval of the Wayne County Attorney as to form and content; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a change order from Orchard Earth & Pipe Corporation in an amount not to exceed \$54,500, which will resolve all outstanding contested change orders with Orchard Earth & Pipe Corporation.

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

RESOLUTION NO. 287-05: AUTHORIZATION TO AMEND RESOLUTION NO. 201-05 TO APPROVE A CHANGE ORDER FROM TAMBE ELECTRICAL CORPORATION

Mr. Colvin presented the following:

WHEREAS, Resolution No. 201-05 authorized the Chairman of the Wayne County Board of Supervisors to execute a change order from Tambe Electrical Corporation to provide additional building loads on emergency power for the new Nursing Home Facility in an amount not to exceed \$58,664.00; and

WHEREAS, Labella Associates and the Pike Company and the Ad-Hoc Committee of the Board of Supervisors for the Nursing Home Project, gave requested approval to amend Resolution 201-05 to provide for 100 additional transfer switches in an amount not to exceed \$36,273.00; 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>COST OF ADDITIONAL WORK</u>
1. Tambe Electrical Corporation	Not to exceed \$94,937.00

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

RESOLUTION NO. 288-05: AUTHORIZATION TO APPROVE A CHANGE ORDER FROM KENNEDY MECHANICAL, INC.

Mr. Colvin presented the following:

WHEREAS, Labella Associates and the Pike Company and the Ad-Hoc Committee of the Board of Supervisors for the Nursing Home Project, per recommendations by the Department of Health, gave requested approval for a change order to provide a sprinkler head in closet A118C at the new Nursing Home Facility; 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>COST OF ADDITIONAL WORK</u>
1. Kennedy Mechanical, Inc.	Not to exceed \$1,449.21

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

RESOLUTION NO. 289-05: AUTHORIZATION TO APPROVE A CHANGE ORDER FROM KENNEDY MECHANICAL, INC.

Mr. Colvin presented the following:

WHEREAS, Labella Associates and the Pike Company and the Ad-Hoc Committee of the Board of Supervisors for the Nursing Home Project, per recommendations by the New York State Department of Codes Division, gave requested approval for a change order to provide insulation at non-handicap accessible sinks at several locations at the new Nursing Home Facility; 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>COST OF ADDITIONAL WORK</u>
1. Kennedy Mechanical, Inc.	Not to exceed \$727.95

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

RESOLUTION NO. 290-05: AUTHORIZATION TO APPROVE A CHANGE ORDER FROM KENNEDY MECHANICAL, INC.

Mr. Colvin presented the following:

WHEREAS, Labella Associates and the Pike Company and the Ad-Hoc Committee of the Board of Supervisors for the Nursing Home Project gave requested approval for a change order to provide for re-pipe of two bay food prep sink in kitchen so that each bay is independently discharged into the floor sink at the new Nursing Home Facility; 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>COST OF ADDITIONAL WORK</u>
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1. Kennedy Mechanical, Inc. Not to exceed \$650.00
Mr. Lyon moved the adoption of the resolution. Seconded by Mr. DeSanto. Upon roll call, all Supervisors voted Aye except Supervisors Spickerman and Fabino who voted Nay. The Chairman declared the Resolution adopted.

RESOLUTION NO. 291-05: AUTHORIZATION TO APPROVE A CHANGE ORDER FROM KENNEDY MECHANICAL, INC.

Mr. Colvin presented the following:

WHEREAS, Labella Associates and the Pike Company and the Ad-Hoc Committee of the Board of Supervisors for the Nursing Home Project gave requested approval for a change order to remove sprinkler heads from elevator machine rooms A005 and A093; piping shall be capped back at main, outside rooms at the new Nursing Home Facility; 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>COST OF ADDITIONAL WORK</u> |
|-----------------------------|--------------------------------|
| 1. Kennedy Mechanical, Inc. | Not to exceed \$510.40 |

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

RESOLUTION NO. 292-05: AUTHORIZING COUNTY TREASURER TO ADJUST THE TOWN AND COUNTY TAXES OWING AGAINST REAL PROPERTY ASSESSED TO R.E. GINNA NUCLEAR POWER PLANT, LLC FOR THE 2005 TAX YEAR

Mr. Colvin presented the following:

WHEREAS, the Wayne County Treasurer has accepted payment on parcel T.M. # 62119-00-620947 as per the Pilot Agreement in the amount of \$3,337,069.20 and there is a remainder of the amount billed for the 2005 tax year, (Town portion \$409,811.97 and County portion \$1,145,070.11); now, therefore, be it

RESOLVED, that it is hereby recommended that these amounts be charged to Account No. A0430.3450 for the Town portion of \$409,811.97 and Account No.A0880.0000 for the County portion of \$1,145,070.11.

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

ADJOURNMENT: The Chairman adjourned the Board until Tuesday, April 19, 2003 at 9:00 a.m.

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