

5th Day
Tuesday, March 18, 2008
9:00 a.m.

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

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

APPROVAL OF MINUTES:

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

SUMMARY OF CLAIMS BY COMMITTEE:

Committee No. 1	Finance	
A13252	Treasurer	5,290.00
A13254	Treasurer	1,124.87
A13554	Assessment - Real Property Tax	1,008.67
A13644	Expenses on Prop Acquired	85.35
A16804	Information Technology	6,337.45
A19304	Judgments & Claims	10,817.28
A24904	Community College	993,843.98
A74104	Library	47,182.50
H19082	FMS System Update	1,322.50
H19332	Building Renovation Project	19,619.36
H19352	Enhance911 Emergency Telephone	7,740.15
H19392	Route 31 Complex	<u>727.93</u>
		\$ 1,095,100.04
Committee No. 2	Public Safety	
A11652	District Attorney	3,527.28
A11654	District Attorney	2,956.88
A11674	Crime Victims Board Grant	74.31
A11702	Public Defender	5,707.83
A11702	Public Defender	18,652.76
A11724	Legal Defense of Indigents	55,742.15
A11734	Wayne Pre-Trial Services, Inc.	8,869.92
A11854	Coroner	2,263.70
A11904	Grand Jury	1,474.00
A31104	Sheriff	8,459.99
A31114	Sheriff – Recreational	900.00
A31124	Sheriff - Civil Office	120.15
A31134	Sheriff - Juvenile Office	2,194.74
A31144	Sheriff - Road Patrol	13,758.29
A31144	Sheriff - Road Patrol	6,254.10
A31154	Sheriff - Detective Unit	1,573.88
A31164	Sheriff - Court Security	629.53
A31174	Animal Abuse Investigations	602.00
A31404	Probation	6,706.98
A31404	Probation	5,866.56
A31504	Sheriff – Jail	23,771.67
A33154	Stop DWI	1,967.88
A34104	Mutual Aid (Fire Coordinator)	656.87
A36404	Emergency Management Office	465.83
A36424	E911 Communications	3,024.02
A36444	ALS Services	<u>7,001.91</u>
		\$ 183,223.23

Committee No. 3	Public Works	
A16154	Buildings & Grounds	14,439.07
A16154	Buildings and Grounds	83,111.91
A16404	Central Garage	7,474.89
A66104	Consumer Affairs (W&M)	1,495.00
A66104	Consumer Affairs (W&M)	420.61
A87304	Soil Conservation	21.58
D50104	Highway Administration	240.00
D50104	Highway Administration	769.54
D50202	Highway Engineering	368.85
D50204	Highway Engineering	9.28
D51104	Maintenance of Roads & Bridges	26,554.29
D51114	Road Striping and Sign Maint	9,256.70
D51122	Road Construction	423,509.38
D51424	Snow Removal – County	476,577.06
DM51304	Road Machinery	<u>116,275.73</u>
		\$ 1,160,523.89
Committee No. 4	Economic Development & Planning	
A56324	Bus Operations	9,594.45
A63264	Economic Development Admin	32,431.00
A64104	Publicity (Tourism)	1,023.40
A64114	Tourism Matching Funds Program	1,825.74
A80204	Planning Board	<u>1,629.09</u>
		\$ 46,503.68
Committee No. 5	Government Operations	
A10102	Legislative Board	653.86
A10104	Legislative Board	460.68
A10404	Clerk Legislative Board	299.25
A14104	County Clerk	1,488.49
A14204	County Attorney	5,771.67
A14304	Personnel Department	1,736.44
A14314	Cafeteria Plan	1,946.28
A14504	Board of Elections	1,027.90
A16714	Printing Department	3,092.80
A16724	Court House Xerox	118.22
A75104	County Historian	813.92
MS17104	Administrative Fees	12,877.44
S17104	Workers Comp	<u>29,371.15</u>
		\$ 59,658.10
Committee No. 6	Health & Medical Services	
A40102	Public Health	848.00
A40104	Public Health	16,244.27
A40112	Public Health Service	3,659.09
A40114	Public Health Service	16,148.15
A40162	PH - Early Intervention 0-1	598.06
A40164	PH - Early Intervention 0-1	108,717.76
A40174	PH - Child w/Spec Needs 3-5	516,989.37
A40182	Public Health Education	3,456.48
A40184	Public Health Education	7,375.75
A40194	Wayne Community Nursing Care	28,659.53
A40204	PH - EMS Coordinator	1,680.03
A40204	PH - EMS Coordinator	207.55
A43004	Behavioral Health	22,995.77
A43004	Behavioral Health	75,724.11
A43224	Community Providers	181,330.00
E60004	NH Combined	<u>179,315.07</u>
		\$1,163,949.00

Committee No. 7	Human Services	
A60104	Administration	71,724.97
A60704	Purchase of Services	1,500.00
A61234	Juv Delinquent Care	37,720.00
A61404	Safety Net	680.00
A62124	WFD/DSS Intensive Employment	1,159.81
A62144	Economic Opportunity & Develop	469.42
A62924	WFD-APY Grant	415.16
A62934	WIA Adult	828.46
A62944	WIA Dislocated	1,245.99
A62954	WIA Youth	1,061.06
A62964	TANF Summer	858.00
A63104	Community Action Program	43,983.00
A65104	Veteran Services	6,964.00
A67724	Area Agency on Aging	46,122.81
A73104	Youth Bureau	<u>25,610.84</u>
		\$ 240,343.52
	Warrant Total	\$ 3,949,301.46
	During the Month Utilities	\$ 162,811.83

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

COMMUNICATIONS:

The Clerk read the following:

The Sheriff's Report for the month of February 2008 in the amount of \$19,101.29 was received and filed.

A Certification letter was received regarding Board Members successfully completing Compliance Program Training was received.

A Notice of Intent of a "PILOT" deviation was received in the Town of Arcadia from the Wayne County Industrial Development Agency.

A Notice of Intent of a "PILOT" deviation was received in the Town of Williamson from the Wayne County Industrial Development Agency.

A copy of the February 2008 minutes for the VA Medical Center Community Council Meeting was received.

A letter of acknowledgement was received from the Governor's office, regarding the forwarding of the Boards adopted resolutions to the appropriate committees pertaining to Resolution No. 145-08: Urging Legislators Not to Increase Thruway Tolls; Res. No. 172-08: Authorization to Support Continuation of New York State Police Providing School Resource Officer Positions; and Res. No. 183-08: Urging New York State Legislature to Change Formula for Determining Star Benefits.

A copy of the Lake Ontario Shoreline Algae Action Advisory Committee Final Report No. PPW10-08, was received and filed.

A letter was received from the New York State Office of Parks, Recreation and Historic Preservation, regarding property that is located at Dipper Dredge No. 3, Drydock Road in Lyons, being listed on the National Register of Historic Places.

A thank you letter was received from Phil Wagner, President of the Wayne County Farm Bureau, thanking Board Members for their attendance and support at the recent Legislative Reception and Policy Execution Days held in Albany last month.

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

BIDS:

Wayne County Highway Department

- Culvert for the West Walworth Road Culvert Replacement Project
- Precast Concrete Box Culvert

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

ANNUAL REPORTS AND FINANCIAL STATEMENTS:

- Wayne County Nursing Home and Rehab Center
- Wayne County Public Health Services
- Wayne County Department of Social Services
- Wayne County Department of Aging and Youth
- Wayne County 911 Communications
- Wayne County Mutual Aid
- Wayne County Civil Services~Personnel
- Wayne County ALS Services
- Wayne County Planning Department
- Wayne County Clerk
- Wayne County Office of Tourism
- Wayne Pre-Trial Services, Inc.
- Lyons Community Health Initiatives Corp Financial Statement

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

RESOLUTION NO. 187-08: AUTHORIZATION TO DECLARE VEHICLES SURPLUS FOR VARIOUS COUNTY DEPARTMENTS

Mr. Lyon presented the following:

WHEREAS, the following vehicles are no longer of use for the Wayne County Departments listed below; now, therefore, be it

RESOLVED, that the vehicles listed below are hereby declared surplus and said vehicles are to be disposed of in accordance with the Surplus Vehicle Disposition Procedure Outlined in Resolution No. 375-91:

Buildings and Grounds

- 1 - 1998 Chevrolet 4x4 Pick-up truck with plow VIN# GCGK24RXWZ159609
- 1 - 2003 Ferris Mower 72" Serial #1377

Probation Department

- 1 - 1999 Ford Taurus VIN# 1FAFP52U3XA276153

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

RESOLUTION NO. 188-08: AUTHORIZATION TO ACCEPT SETTLEMENT FOR ACCIDENT

Mr. Lyon presented the following:

WHEREAS, a Mental Health vehicle (a 2007 Chevrolet Malibu) was involved in a accident on December 6, 2007 in the Mental Health Building Parking lot; and

WHEREAS, this vehicle has been repaired, the cost of repair being Six Hundred Sixty Nine and 00/100 Dollars; and

WHEREAS, Haylor, Freyer, and Coon has negotiated a settlement with the other party in the amount of Five Hundred One and 75/100 Dollars, said settlement representing apportionment of liability being 25 % county, and 75% attributable to the other party; now, therefore, be it

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

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into a settlement subject to the approval by the County Attorney, in the amount of Five Hundred One and 75/100 Dollars (\$501.75).

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

RESOLUTION NO. 189-08: AUTHORIZATION TO ESTABLISH A COUNTY ADMINISTRATION DEPARTMENT IN THE 2008 COUNTY BUDGET AND TRANSFER FUNDS

Mr. Lyon presented the following:

WHEREAS, the County of Wayne is staffing an Administrator's Office and this action should include the authorization of expenditures and the tracking of funding in the budget process; and

WHEREAS, previously said expenditures have been allocated against Account No. A1010-Legislative Board and Account No. A1040-Clerk Legislative Board; now, therefore, be it

RESOLVED, that the 2008 County Budget is hereby amended to establish a department of County Administration within the budget as Account No. A1230-County Administration; and be it further

RESOLVED, that the County Treasurer is hereby authorized to make the following transfers to the 2008 County Budget:

Account No. A1230-COUNTY ADMINISTRATION

\$ 27,333.34 to .51023 (Secretary-Co Administrator)
\$ 89,302.00 to .51326 (Fiscal Manager)
\$106,225.00 to .51516 (County Administrator)
\$ 10,269.96 to .52200 (Office Equipment)
\$ 2,029.77 to .52201 (Computer Equipment)
\$ 1,000.00 to .54150 (Office Supplies)
\$ 300.00 to .54166 (Postage)
\$ 4,200.00 to .54230 (Telephone)
\$ 250.00 to .54408 (Copier Expense)
\$ 250.00 to .54456 (Printing)
\$ 745.00 to .54199 (Miscellaneous Expense)
\$ 1,000.00 to .54410 (Conference)
\$ 400.00 to .54418 (Dues)
\$ 4,720.09 to .54438 (Maintenance & Repairs)
\$ 500.00 to .54485 (Travel)
\$ 22,102.00 to .58100 (Payments to NYS Retirement)
\$ 17,253.00 to .58200 (Payments to Social Security)
\$ 26,851.00 to .58400 (Hospitalization)
\$ 468.00 to .58600 (Disability)
\$ 37.00 to .58901 (Employee Assistance Program)

Account No. A1010-LEGISLATIVE BOARD:

\$ 30,000.00 from .51023 (Secretary-Co. Administrator)
\$ 89,302.00 from .51326 (Fiscal Manager)
\$106,225.00 from .51516 (County Administrator)
\$ 10,269.96 from .52200 (Office Equipment)
\$ 2,029.77 from .52201 (Computer Equipment)
\$ 1,000.00 from .54150 (Office Supplies)
\$ 1,000.00 from .54410 (Conference)
\$ 2,498.43 from .54438 (Maintenance & Repairs)
\$ 300.00 from .54475 (Software)
\$ 500.00 from .54485 (Travel)
\$ 400.00 from .54600 (Misc)
\$ 22,102.00 from .58100 (Payments to NYS retirement)
\$ 17,253.00 from .58200 (Payment to Social Security)
\$ 26,851.00 from .58400 (Hospitalization)
\$ 468.00 from .58600 (Disability)
\$ 37.00 from .58901 (Employee Assistance Program)

Account No. A1040-CLERK LEGISLATIVE BOARD:

\$ 300.00 from .54166 (Postage)

\$ 4,200.00 from .54230 (Telephone)
\$ 250.00 from .54408 (Copier Expense)
\$ 250.00 from .54456 (Printing)

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

RESOLUTION NO. 190-08: 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 SODUS

2008 Tax Roll
Account No.: 69119-00-882042
Assessed to: The People of the State of New York
Total Tax Difference: \$242.28 Total County Tax Difference: \$0.00
Corrected Total Tax: \$ 0.00

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

RESOLUTION NO. 191-08: 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 BUTLER

2008 Tax Roll
Account No. 76115-00-485836
Assessed to: Jon & Karen Merrell
Total Tax Difference: \$ 1,547.20 Total County Tax Difference: \$ 851.30
Refund: \$ 1,547.20

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

RESOLUTION NO. 192-08: AUTHORIZING PAYMENT OF LITIGATION COST AND TRANSFER FUNDS

Mr. Lyon presented the following:

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

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

Town of Arcadia	
Community Bank	\$ 93.75
Town of Ontario	
Orchard Grove Trailer Park	\$335.14
Town of Ontario	
D.K.R. Investments LLC	\$195.00

now, therefore, be it

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

\$623.89 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. Groat moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 193-08: AUTHORIZATION TO EXECUTE CONTRACT FOR AUCTIONEER SERVICES FOR REAL PROPERTY TAX FORECLOSURE SALE

Mr. Lyon presented the following:

WHEREAS, the Real Property Tax Department will be conducting a Tax Foreclosure Auction of delinquent properties; and

WHEREAS, the Real Property Tax Service Department of Wayne County is desirous of having auction services performed by a professional auctioning services; and

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

Dean Cummins			\$2,400
John Reynolds	Reynolds Auction Company	\$ 1	
Bernard Brzostek	Brzostek's Auction Service	\$ 295 per property	
James Hoyt	Village Auction Company	\$ 500	
Edward Haroff	Haroff Auction & Realty, Inc	no proposal submitted	

now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, as outlined in the RFP for Auctioneering Services with John Reynolds of Reynolds Auction Company in the amount of \$1.00 (one dollar).

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

RESOLUTION NO. 194-08: AUTHORIZATION TO FUND EMS TRAINING CLASSES FROM MYERS HOSPITAL TWIG ASSOCIATION

Mrs. Bender presented the following:

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

WHEREAS, the Ontario Volunteer Emergency Squad hosted a continuing medical education (CME) class entitled Pulmonary Emergencies, with Dr. Singh from Rochester General Hospital speaking, on February 13, 2008, and

WHEREAS, a CME class entitled Children with Special Needs is planned for March 25, 2008 at the Wayne County Fire Training Center, with Sharon Chiumento of Gates, NY to speak; now, therefore, be it

RESOLVED, that, in association with the existing TWIG agreement, a speaker's stipend of \$125 is authorized to be paid to the Ontario Volunteer Emergency Squad for reimbursement of costs paid to Dr. Singh for the February 13, 2008 class, and be it further

RESOLVED, that payment of a speaker's stipend of \$125 to Sharon Chiumento is hereby authorized for the upcoming CME class on March 25, 2008, and be it further

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

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

RESOLUTION NO. 195-08: AUTHORIZATION TO EXECUTE INMATE HOUSING AGREEMENT WITH ONTARIO COUNTY SHERIFF'S OFFICE FOR 2008

Mrs. Bender presented the following:

RESOLVED, that the Chairman of the Wayne County Board of Supervisors and Wayne County Office of Sheriff are hereby authorized and directed to sign the housing agreement with Ontario County Sheriff for the housing of inmates at a cost of \$85/per day, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 196-08: SUPPORTING THE CREATION OF AN INDEPENDENT PUBLIC DEFENSE COMMISSION AND STATE WIDE PUBLIC DEFENSE SYSTEM AS RECOMMENDED BY THE KAYE COMMISSION

Mrs. Bender presented the following:

WHEREAS, in 1965 New York State began requiring the Counties and New York City to provide legal services mandated by law, setting out in Article 18-B of the County Law a variety of programs that could be adopted for that purpose, all at local expense; and

WHEREAS, the Counties and New York City shoulder the majority of the expense for Article 18-B services including both criminal and various non-criminal matters in which a right to counsel exists; and

WHEREAS, the public defense system established by Article 18-B, local costs for which were originally envisioned being offset by State revenue sharing funds, has devolved into an under-funded state mandate that financially burdens the Counties and New York City; and

WHEREAS, a Commission appointed by Chief Judge Judith S. Kaye concluded in 2006 that a new, fully state-funded, state wide public defender system headed by an independent public defense commission is needed to guarantee the right to counsel in New York State; and

WHEREAS, Judge Kaye's Commission reported numerous short comings and inequities of the current public defense system, concluding that the current system is in a state of crisis and suffers from a chronic and acute lack of funding; and

WHEREAS, significant reform of the current system cannot happen without a full state take over of the public defense program as counties have only limited resources available and must fund an array of other state mandated programs; and

WHEREAS, bi-partisan legislation to implement the recommendations of the Kaye Commission has been introduced to both houses of the New York State Legislature; and

WHEREAS, the Governor has instead proposed in his current budget the creation in the Department of State of an Office of Indigent Defense Services with an Executive Director appointed by the Governor which office would be charged with further examining and evaluating existing public defense services; and

WHEREAS, the Governor's proposal is deficient for several reasons including: 1) The office created is not politically independent, 2) There is no provision for the enforcement of standards of practice, 3) The office created is charged with further investigation of an already well documented failing public defense system without any mechanism or timetable for corrective action; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors supports the creation by New York State of an independent public defense commission heading a state wide public defender system as recommended by the Kaye Commission; and be it further

RESOLVED, that the Wayne County Board of Supervisors agrees with the Kaye Commission that as to this much-needed public defense reform "the time for further study is over" and "[t]he time for action is now."

RESOLVED, that the Wayne County Board of Supervisors encourages State Legislators of both parties to oppose the legislation in the Governor's budget which would establish an

office of Indigent Defense Services within the Department of State; and

RESOLVED, that the Wayne County Board of Supervisors encourages the Governor and State Legislators of both parties to support currently pending bills numbered A9087 and S4311 to create an independent public defense commission; and

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

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

RESOLUTION NO. 197-08: SUPPORTING THE AMENDMENT OF THE INDIGENT LEGAL SERVICES FUND AS SET FORTH IN SECTION 98-b OF THE STATE FINANCE LAW

Mrs. Bender presented the following:

WHEREAS, under Section 98-b(4) of the New York State Finance Law, Indigent Legal Services Fund money is completely denied to any county or city for any year in which it fails to meet the maintenance of effort requirement specified in that sub-section; and

WHEREAS, Wayne County and two other counties in New York State received no Indigent Legal Services Fund money in March 2007 due to their failure to meet the maintenance of effort requirement for the calendar year of 2006; and

WHEREAS, this loss was a significant burden to Wayne County in that it had to expend local funds in excess of \$300,000 which would otherwise would have been received from the Indigent Legal Services Fund; and

WHEREAS, because of the wording of Section 98-b(4) of the State Finance Law, Wayne County is now in a cycle where it will only receive Indigent Legal Services Fund money every other year and is thus being penalized for its failure to meet the maintenance of effort requirement for calendar year 2006 far beyond calendar year 2007 and thus far beyond the intent of the maintenance of effort requirement; and

WHEREAS, this result inordinately penalizes a county or city which fails to meet the maintenance of effort requirement for one calendar year and also removes any incentive for that county or city to increase expenditures on indigent legal services thereafter; and

WHEREAS, the Governor has proposed in his budget the amendment of Section 98-b of the State Finance Law to place a 72 million dollar cap on monies to be distributed under that Section from the Indigent Legal Services Fund which Fund has consistently increased over the years to the benefit of the recipient counties and cities; and

WHEREAS, the Governor has also proposed in his budget legislation which would amend the maintenance of effort provisions of Section 98-b(4) of the State Finance Law in a fashion that would not completely remove the on-going penalty suffered by Wayne County beyond calendar year 2007; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors encourages the State Legislators of both parties to oppose the Governor's proposed amendments to Section 98-b of the New York State Finance Law, and be it further

RESOLVED, that the Wayne County Board of Supervisors encourages the Governor and State Legislators of both parties to revise Section 98-b(4) of the State Finance Law so that any county or city that loses aid for one calendar year shall not suffer further loss of Indigent Legal Services Fund money in later years as the result of that same failure; and be it further

RESOLVED, that the Wayne County Board of Supervisors encourages the Governor and State Legislators of both parties to consider adoption of the annexed legislation to amend Section 98-b(4) of the State Finance Law; and be it further

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

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

RESOLUTION NO. 198-08: AUTHORIZATION TO APPLY FOR A FEDERAL HOMEPORT SECURITY GRANT FOR THE PURCHASE OF A BOAT AND RELATED EQUIPMENT FOR MARINE PATROL

Mrs. Bender presented the following:

WHEREAS, the Wayne County Sheriff's Office has been given the opportunity to apply for a Federal Homeport Security Grant for a total of \$124,121 to fund four (4) projects listed as follows:

1. \$94,136 Purchase of a new vessel (using 25% of local funds and reimbursement of 75% from the NYS Office of Parks and Recreation)
2. \$16,048 Purchase Motor for the existing Zodiac Vessel for the Sheriff's Department (with no matching funds)
3. \$10,500 Purchase Electronic equipment for the boat (with no matching funds)
4. \$3,437 Purchase Night Vision Goggle equipment (with no matching funds)

now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute any documentation necessary to apply for the Federal Homeport Security Grant, subject to the County Attorney's approval as to form and content, with the Federal Homeport Security.

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

RESOLUTION NO. 199-08: AUTHORIZATION TO EXECUTE CONTRACT FOR STRUCTURAL ASSESSMENT OF TWO FIRE TRAINING BURN BUILDINGS

Mr. LeRoy presented the following:

WHEREAS, three proposals have been received for the purpose of doing a structural assessment on the two burn buildings located on the Rt. 31 Complex behind the Fire Training Building as follows:

Barton and Loguidice

Engineering Fees:	\$ 8,900 00
Testing Fees:	<u>\$ 2,300.00</u>
Total	\$11,200.00

Clough Harbor & Associates

Engineering Fees	\$ 9,800.00
Testing Fees	<u>\$ 9,046.00</u>
Total	\$18,846.00

Dan Long Associates

Engineering Fees:	\$ 760.00
Testing Fees:	\$ 2,624.00
Total	\$ 3,384.00

now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign an agreement, subject to approval by the County Attorney as to form and content with Daniel R. Long Associates at a County cost not to exceed \$3,384.

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

RESOLUTION NO. 200-08: AUTHORIZATION TO ADVERTISE FOR A VENDOR TO PROVIDE CONCESSIONS AT SODUS POINT PARK

Mr. LeRoy presented the following:

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for bids for a vendor to provide concessions for Sodus Point Park, in accordance with specifications prepared by the County Attorney and the Superintendent of Buildings and Grounds; and be it further

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

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

RESOLUTION NO. 201-08: AUTHORIZATION TO PAY OUT-OF-TITLE PAY FOR MAINTENANCE WORKERS IN PARKS FOR BUILDING AND GROUNDS DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, the Maintenance Worker position located in parks is required to provide supervision of Seasonal Laborers; and

WHEREAS, their job description of the Maintenance Worker does not include any supervisory provisions; now, therefore, be it

RESOLVED, that any Maintenance Worker providing direct supervision of any seasonal laborers shall be paid an adjustment of the difference of his current rate of pay and the hire rate of the Maintenance Mechanic position; and be it further

RESOLVED, that the aggregate expense for this out-of-title pay for 2008 shall not exceed \$400.

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

RESOLUTION NO. 202-08: AUTHORIZATION TO EXECUTE CONTRACT WITH CUMMINS NORTHEAST FOR EMERGENCY GENERATOR MAINTENANCE SERVICES FOR WC BUILDING AND GROUNDS

Mr. LeRoy presented the following:

WHEREAS, Wayne County has a total of nine Cummins-Onan Emergency Generators that provide critical services to the county in the event of a power failure; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign a maintenance agreement subject to approval by the County Attorney, with Cummins Northeast for a term of Five years for Maintenance Services as outlined in their agreement as follows:

First year cost	\$9,122.77
Second Year	\$9,578.91
Third Year	\$10,057.85
Fourth Year	\$10,560.75
Fifth Year	\$11,088.78

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

RESOLUTION NO. 203-08: AUTHORIZATION TO EXECUTE AGREEMENT WITH BARTON & LOGUIDICE FOR CONSTRUCTION INSPECTION ON THE LAKE ROAD OVER MAXWELL CREEK PROJECT

Mr. LeRoy presented the following:

WHEREAS, Lake Road over Maxwell Creek is a federally funded project and the New York State Department of Transportation will be overseeing the construction inspection during the completion of this project; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval, as to form and content, with Barton & Loguidice for the construction inspection for the Lake Road over Maxwell Creek Project at a cost not to exceed \$81,600, and that this contract shall remain in place until the Lake Road over Maxwell Creek Project is completed or until December of 2009.

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

RESOLUTION NO. 204-08: AUTHORIZATION TO ENTER AGREEMENT WITH THE TOWN OF PALMYRA FOR ROAD SIDE MOWING

Mr. LeRoy 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 \$208.00 per mile for the 2008 Season.

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

RESOLUTION NO. 205-08: AUTHORIZATION TO REIMBURSE TOWNS FOR THE IMPLEMENTATION FOR THE SURVEY AND REPLACEMENT SIGNS FOR THE FEDERAL ADMINISTERED HIGHWAY PROGRAM

Mr. LeRoy presented the following:

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

WHEREAS, the initial phase is the design and survey of the project; now, therefore, be it RESOLVED, that the Wayne County Highway Superintendent is hereby authorized and directed to pay the following towns:

Town of Palmyra	\$ 9,500.00
Town of Savannah	\$ 8,645.00
Town of Butler	\$ 4,927.65
Town of Rose	\$ 9,500.00
Town of Wolcott	\$ 8,645.00

and be it further

RESOLVED, that the payments represent a 95% reimbursement to the Towns of up to \$10,000 worth of engineering services from Lu Engineers and/or signage materials.

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

RESOLUTION NO. 206-08: AUTHORIZATION TO HIRE A TEMPORARY MEO#2 AND TRANSFER FUNDS FOR THE HIGHWAY DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, the County Highway Department is in need for a Temporary MEO #2 due to an employee out on disability; and

WHEREAS, the employment of this Temporary MEO #2 will not increase the 2008 Budget and will not receive any benefits; now, therefore, be it

RESOLVED, that the Superintendent of Highways is hereby authorized to fill the Temporary MEO #2 for six (6) months, beginning with the date of hire or less should the permanent employee to return back to work, prior to six months having elapsed; and be it further

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

Account No. D5110 Maintenance of Roads & Bridges

\$10,000 from 51268 HEO

\$10,000 to .51212 MEO #2

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

RESOLUTION NO. 207-08: AUTHORIZATION TO ACCEPT LOW BID FOR CULVERT FOR THE WAYNE COUNTY HIGHWAY DEPARTMENT'S WEST WALWORTH ROAD CULVERT REPLACEMENT PROJECT

Mr. LeRoy presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for Culvert for the West Walworth Road Culvert Replacement Project for the County Highway Department, and the bids were open on Friday, February 29, 2008 at 10:00 a.m. and the following bid was received:

Chemung Supply Corp.	\$35,986.00
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now, therefore, be it

RESOLVED, that the bid submitted by Chemung Supply Corp. of Elmira, New York in the amount of \$35,986.00, in accordance with the specifications, is hereby accepted; and be it

further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and contend with Chemung Supply Corp. in accordance with the bid acceptance at a county cost not to exceed \$35,986.00.

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

RESOLUTION NO. 208-08: AUTHORIZATION TO ACCEPT LOW BID FOR PRECAST CONCRETE BOX CULVERT FOR WAYNE COUNTY HIGHWAY DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for Precast Concrete Box Culvert & Wing Wall for the Tellier Road Bridge Project for the County Highway Department, and the bids were open on Friday, February 22, 2008 at 10:00 a.m. and the following bids were received:

Empire Constructors	\$103,800
Keystone Concrete Products	\$106,500
BVR Construction	\$123,000

now, therefore, be it

RESOLVED, that the bid submitted by Empire Constructors of Pittsford, New York in the amount of \$103,800 in accordance with the specifications, is hereby accepted; and be it further

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

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

RESOLUTION NO. 209-08: AUTHORIZATION TO ADVERTISE FOR BIDS FOR ASPHALT PAVING EQUIPMENT & OPERATORS FOR COUNTY OF WAYNE AND MUNICIPAL HIGHWAY DEPARTMENTS

Mr. LeRoy presented the following:

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to advertise for bids for Asphalt Paving Equipment & Operators, in accordance with specifications prepared by the Highway Superintendent and subject to the County Attorney's approval as to form and content; and be it further

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

RESOLVED, that the bid specifications shall provide that any municipal highway department purchasing materials pursuant to the bid shall be solely responsible for the audit and inspection of such materials and for any payments due the vendor.

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

RESOLUTION NO. 210-08: AUTHORIZE NO COST TIME EXTENSION FOR AMTRAK STATION MULTI-MODAL PROJECT

Mr. Spickerman presented the following:

WHEREAS, Wayne County received a Multi-Modal II grant in the amount of \$750,000 for the design and construction of an Amtrak Passenger Rail Station in Lyons; and

WHEREAS, the agreement between Wayne County and the NYS Department of Transportation for this project expired on December 31, 2003; and

WHEREAS, the NYS Department of Transportation requires a no cost time extension to the agreement so Wayne County may obtain reimbursement for expenses incurred for this project after December 31, 2003; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to execute a no cost time extension to the Multi-Modal II agreement between Wayne County and

the NYS Department of Transportation, subject to approval as to form and content by the County Attorney.

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

RESOLUTION NO. 211-08: AUTHORIZE COUNTY TREASURER TO DISBURSE SNOWMOBILE TRAILS FUNDING TO SNOWMOBILE CLUBS

Mr. Spickerman presented the following:

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

WHEREAS, Wayne County applied for 2007-2008 aid through the NYS Office of Parks, Recreation and Historic Preservation, and has been designated to receive a total of \$28,725 in allowable grant funds for the purpose of maintaining and developing approved snowmobile trails within the county; and

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

RESOLVED, that the Board of Supervisors accepts the grant awarded by the Snowmobile Grant-in-Aid program in the amount of \$28,725; and be it further

RESOLVED the Treasurer is authorized to sign the voucher and Planning Department is authorized to submit that voucher to the State; and be it further

RESOLVED that the Wayne County Treasurer is hereby authorized to distribute upon its receipt the \$20,107.50 (70%) as follows:

Lakeshore Snow Devils	\$7,139.50
Old Erie Riders, Inc	\$700.00
Canalton Snowmobilers, Inc	\$4,095.00
Webster Ridge Runners	\$2,503.00
Williamson Drift Riders	\$5,670.00

Mr. Plant commented that he had received many complaints from the Town of Walworth Residents regarding noise and damage that had been caused by snowmobiles. He noted that he would not be supporting this resolution.

Mr. Kelsch and Mr. LeRoy added that they had also received many complaints from their Town residents.

Mr. Lauderdale stated that these trails should be policed by the Sheriff's Department.

Sheriff Piscioti addressed the Board to report that at the present time, the Wayne County Sheriff's Department currently had two snowmobiles in their fleet to cover 100 miles of snowmobile trails within the county. He noted that no funding is coming in from Albany to assist in funding these accounts.

Mr. Plant stated that perhaps the funding that is being distributed to the Snowmobile Clubs could be utilized for patrolling the trails instead; and would review this issue with the Public Safety Committee at Budget preparation time.

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

RESOLUTION NO. 212-08: AUTHORIZATION TO EXECUTE AGREEMENT WITH VILLAGE OF WOLCOTT TO CLEAN OUT RAILROAD TRAIL

Mr. Spickerman presented the following:

WHEREAS, the County of Wayne owns the railroad right-of-way between Lake Avenue and East Port Bay Road in the Village of Wolcott; and

WHEREAS, a large section of this right-of-way is blocked by small trees and brush forcing users of the trail onto private property; and

WHEREAS, the Village of Wolcott has submitted a work order to the NYS Department of Corrections requesting the use of prisoners from the Butler Correctional Facility to assist in clearing the trees and brush from the right-of-way; now, therefore, be it

RESOLVED, that Wayne County authorizes the Village of Wolcott to clear small trees

and brush along the railroad trail located between Lake Avenue and East Port Bay Road in the Village of Wolcott and to conduct maintenance activities that keep the trail open and passable as long as these activities are at no cost to the County; and be it further

RESOLVED, that the trail shall remain open to all residents and visitors to Wayne County and shall in no way be restricted for use by Village residents; and be it further

RESOLVED, that the Chairman of the Board is authorized to execute an agreement with the Village of Wolcott for clearing and maintenance of the above referenced trail, subject to approval as to form and content by the County Attorney.

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

RESOLUTION NO. 213-08: URGING LONG TERM VIABILITY OF CANAL SYSTEM

Mr. Spickerman presented the following:

WHEREAS, Wayne County exists between the Lake Ontario and locks of the Erie Canal; and

WHEREAS, tourism—cultural and recreational—has been designated an emerging economic cluster within the County; and

WHEREAS, historically the Erie Canal has been an economic driving force, creating high density centers of knowledge and commerce; and

WHEREAS, the maintenance and funding of this valuable asset is currently under discussion on the State level; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby urges that the transfer of the Canal system out of the Thruway Authority be averted, focusing instead on other areas identified by the State Comptroller's Report; and that attention be put on assuring long term funding for the continued maintenance and operation of the canal in conjunction with what state agency, department or authority it should be part of; and be it further

RESOLVED, that the Canal system is not only an asset of the past but that it is critical to the tourism industry's future in New York; and be it further

RESOLVED, that copies of this resolution be distributed to the State representatives of the Western Erie Canal Heritage Corridor, the director of the National Erie Canalway Heritage Area, Western Erie Canal Alliance and Canal New York.

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

RESOLUTION NO. 214-08: AUTHORIZATION TO APPOINT MEMBERS TO THE REGIONAL FISH AND WILDLIFE MANAGEMENT BOARD

Mr. Spickerman presented the following:

RESOLVED, that the following individuals are hereby appointed to the Regional Fish and Wildlife Management Board, effective 1/1/08-12/31/09:

William Lansing (Sportsman)
564 Jacobs Road
Macedon, NY

James Hughes (Sportsman Alternate)
3025 Marion-Walworth Road
Marion, NY

Steven LeRoy (Legislature)
14-16 Mill Street
Sodus, NY

Laurie Crane (Legislature Alternate)
7903 Dutch Street Road
Wolcott, NY

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

Chairman Hoffman welcomed Mr. Thomas Crowley and the Newark High School Government Class to today's Board Meeting.

RESOLUTION NO. 215-08: AUTHORIZATION TO FILL VACANT POSITIONS FOR VARIOUS COUNTY DEPARTMENTS

Mrs. Collier presented the following:

RESOLVED, that the following Department Heads are hereby authorized to fill the vacant

positions listed for their respective departments:

Superintendent of Buildings and Grounds

- 12 - Laborer, seasonal \$8.50 per hour - first year of service
- \$9.50 per hour - for one year or more experience
- 2 - Park Foreman \$10.50 per hour - first year of service
- \$11.50 per hour - for one year or more experience

Director of Probation

- 1 - Probation Officer Position (due to resignation, fill after 4/21/08)

Commissioner of Social Services

- 1 – Support Investigator (due to retirement)

Director of Mental Health

- 1 – Staff Social Worker (due to resignation)
- 1 – Senior Account Clerk (due to retirement/resignation)

County Treasurer

- 1 - Senior Account Clerk (due to resignation)

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

RESOLUTION NO. 216-08: AUTHORIZATION TO AMEND AND RESTATE THE MODEL PLAN FOR THE WAYNE COUNTY DEFERRED COMPENSATION PROGRAM

Mrs. Collier presented the following:

WHEREAS, the New York State Deferred Compensation Board (the "Board"), pursuant to Section 5 of the New York State Finance Law ("Section 5") and the Regulations of the New York State Deferred Compensation Board (the "Regulations"), has promulgated the Plan Document of the Deferred Compensation Plan for Employees of Wayne County (the "Model Plan") and offers the Model Plan for adoption by local employers; and

WHEREAS, Wayne County, pursuant to Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of Wayne County; and

WHEREAS, effective December 7, 2007 the Board amended the Model Plan to adopt provisions

- Expanding the eligibility for unforeseeable emergency withdrawals
- Permitting law enforcement officers, firefighters, members of a rescue squad or ambulance crew who have retired for service or disability to request a plan distribution of up to \$3,000.00 annually to pay for health insurance or qualified long-term care premiums for themselves, their spouse or dependents.
- Permitting a beneficiary who is not the spouse of the deceased Participant to transfer their Plan account directly to an IRA.
- Permitting a Participant who is eligible for a distribution to rollover all or a portion of their Plan account to a Roth IRA; and

WHEREAS, the Board has offered for adoption the amended and restated Model Plan to each Model Plan sponsored by a local employer in accordance with the Regulations; and

WHEREAS, upon due deliberation, Wayne County has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of Wayne County by adopting the amended Model Plan; now therefore be it

RESOLVED, that Wayne County hereby amends the Deferred Compensation Plan for Employees of Wayne County by adopting the amended Model Plan effective December 7, 2007, in the form attached hereto as Exhibit A.; and further

RESOLVED, that the Chairman of the Board of Supervisors and the County Attorney are hereby authorized to sign the amended and restated Model Plan for Deferred Compensation for Employees of Wayne County.

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

RESOLUTION NO. 217-08: AUTHORIZATION TO AMEND RESOLUTION NO. 807-07 TO

INCLUDE THE DURATION OF TIME OF TEMPORARY CONFIDENTIAL SECRETARY TO THE COUNTY ATTORNEY

Mrs. Collier presented the following:

RESOLVED, that Resolution No. 807-07 is hereby amended to read as follows:

"WHEREAS, a Confidential Secretary to the County Attorney is on sick leave due to an automobile accident for an undetermined period of time; and

WHEREAS, the County Attorney is seeking authorization to fill one (1) position of Confidential Secretary to the County Attorney temporarily at a rate of \$14 per hour; now, therefore, be it

RESOLVED, that the Wayne County Attorney is hereby authorized to fill One (1) Confidential Secretary to the County Attorney position temporarily as needed at an hourly rate of \$14; and be it further

RESOLVED, that the County Attorney is hereby authorized to fill the position on a long-term, temporary basis, for a duration of eight months with benefits, beginning January 1, 2008, with no benefits or accruals applied retroactively."

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

RESOLUTION NO. 218-08: AUTHORIZATION TO AMEND RESOLUTION NO. 151-94 (3/13/94) IN RELATION TO THE FEDERAL FAMILY AND MEDICAL LEAVE ACT OF 1993 POLICY

Mrs. Collier presented the following:

WHEREAS, Congress recently approved the first substantive change to the Federal Family and Medical Leave Act since its adoption and Section 585 of the 2009 Defense Authorization Bill amends the FMLA to provided up to 12 weeks of leave for an employee who has a family member called up for or engaged in active military duty and up to 26 weeks of leave for an employee who is a caregiver of a family member who is injured or becomes ill while on active duty; now, therefore, be it

RESOLVED, that the Wayne County Policy in Relation to the Federal Family Medical Leave Act be amended to add the above statements concerning leave for an employee who has a family member called up for or engaged in active military duty.

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

RESOLUTION NO. 219-08: AUTHORIZATION TO APPOINT MEMBERS TO COUNTY'S RECORDS MANAGEMENT COMMITTEE

Mrs. Collier presented the following:

WHEREAS, the Wayne County Records Management Committee was created in 1987 and is in need of updated membership; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to appoint the following committee members:

Richard Colacino Representative of the Board of Supervisors
James Marquette County Administrator

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

RESOLUTION NO. 220-08: SETTING DATE FOR PUBLIC HEARING ON LOCAL LAW PROVIDING FOR CHANGES IN SALARIES OF CERTAIN COUNTY OFFICERS DURING THEIR TERM OF OFFICE (2008)

Mrs. Collier presented the following:

RESOLVED, pursuant to Section 20 of the Municipal Home Rule Law that the Board of Supervisors shall hold a public hearing on Tuesday, April 15, 2008 at 9:30 a.m. in the Supervisors' Chambers in the County Court House, Lyons, New York, on the following proposed local law:

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

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

SECTION 1. The annual salary of the County Treasurer shall be \$66,592 effective January 1, 2008.

SECTION 2. The annual salary of the County Clerk shall be \$68,232 effective January 1, 2008.

SECTION 3. The annual salary of the County Coroner shall be \$36,197 effective January 1, 2008.

SECTION 4. The annual salary of the Commissioner of Social Services shall be \$81,070 effective January 1, 2008.

SECTION 5. The annual salary of the County Administrator shall be \$110,000 effective January 1, 2008.

SECTION 6. The annual salary of the County Attorney shall be \$87,520 effective January 1, 2008.

SECTION 7. The annual salary of the Public Defender shall be \$82,258 effective January 1, 2008.

SECTION 8. The annual salary of the Fire Coordinator shall be \$26,386 effective January 1, 2008.

SECTION 9. The annual salary of the Director of Real Property Tax Service shall be \$58,000 effective January 1, 2008.

SECTION 10. The annual salary of the Personnel Officer shall be \$66,607 effective January 1, 2008.

SECTION 11. The annual salary of the Superintendent of Highways shall be \$71,989 effective January 1, 2008.

SECTION 12. The annual salary of the Sheriff shall be \$83,988 effective January 1, 2008.

SECTION 13. An incumbent holding a position subject to the provisions of Sections 1 through 12 of this local law at the time during the period from the effective date of the salary increase for such position until the time when basic annual salaries are first paid pursuant to this local law for such services in excess of the compensation actually received therefore, shall be entitled to a lump sum payment for the difference between the salary to which such incumbent was entitled for such service and the compensation actually received therefore. Such lump-sum payment shall be made as soon as practicable after this local law becomes effective.

SECTION 14. If any clause, sentence, paragraph, part or provision of this local law shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its effect and operation to the clause, sentence, paragraph, part or provision thereof directly involved in the controversy in which such judgment is rendered.

SECTION 15. This local law is adopted subject to a permissive referendum, and the Clerk of the Board of Supervisors shall give public notice thereof, in the manner provided by law.

SECTION 16. This local law shall take effect on the date it is filed in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law of the State of New York and shall be deemed to have been in full force and effect from and after January 1, 2008.

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

RESOLUTION NO. 221-08: AUTHORIZATION TO TRANSFER BALANCES OF FUNDS AT THE END OF 2007 IN THE COUNTY HISTORIAN BUDGET, PRESERVE NY GRANT TO BE APPROPRIATED IN 2008

Mrs. Collier presented the following:

WHEREAS, the County of Wayne received \$8,000.00 in funds during 2007 for a Preserve NY program; and

WHEREAS, the funds that were not expended in 2007, need to be added to the 2008

County Budget; and

WHEREAS, the County closed these accounts out to fund balance at the end of 2007; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to transfer \$8,000.00 in funds from the Appropriated Fund Balance as follows:

A7510 – COUNTY HISTORIAN:

\$8,000.00 to .544476 Preserve NY

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

RESOLUTION NO. 222-08: AUTHORIZE LYONS CENTRAL SCHOOL AND CLYDE-SAVANNAH CENTRAL SCHOOL DISTRICTS TO LEAVE THE WORKERS' COMPENSATION PLAN EFFECTIVE APRIL 1, 2008

Mrs. Collier presented the following:

WHEREAS, the Lyons Central School and Clyde-Savannah Central School Districts have formally requested to leave the Wayne County Workers' Compensation Plan, effective April 1, 2008, and have requested a buyout figure from the plan; and

WHEREAS, the Insurance Committee of the Wayne County Board of Supervisors have reviewed this request and information provided by USA-TPA and have calculated the following buyout figures:

Lyons Central School District	\$ 113,811
Clyde-Savannah Central School District	\$ 184,587

now, therefore, be it

RESOLVED, that the Board of Supervisors hereby approves, both, the Lyons Central School and Clyde-Savannah Central School Districts leaving the Wayne County Workers' Compensation Plan effective April 1, 2008; and be it further

RESOLVED, that the Board of Supervisors hereby establishes the following buyout for future claims which shall be paid prior to April 1, 2008, accordingly:

Lyons Central School District	\$ 113,811
Clyde-Savannah Central School District	\$ 184,587

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

RESOLUTION NO. 223-08: ESTABLISHMENT OF THE WAYNE COUNTY NURSING HOME AS A SEPARATE COUNTY DEPARTMENT

Mrs. Collier presented the following:

WHEREAS, the Wayne County Commissioner of Social Services presently has oversight responsibilities for the Wayne County Nursing Home; and

WHEREAS, the Wayne County Nursing Home Administrator presently reports to and is supervised by the Wayne County Commissioner of Social Services; and

WHEREAS, after due consideration the Wayne County Board of Supervisors has determined that it would be in the best interest of the County to establish the Wayne County Nursing Home as a separate department under the direction and supervision of the Wayne County Nursing Home Administrator; and

WHEREAS, the Wayne County Board of Supervisors after due consideration has determined that the Wayne County Nursing Home Administrator shall report directly to and be under the direct supervision of the County Administrator; now, therefore, be it

RESOLVED, that effective March 18, 2008, the Wayne County Commissioner of Social Services shall no longer be responsible for the oversight of the Wayne County Nursing Home and the supervision of the Wayne County Nursing Home Administrator; and be it further

RESOLVED, that effective March 18, 2008, the Wayne County Nursing Home shall be a separate County department; and be it further

RESOLVED, that effective March 18, 2008, the Nursing Home Administrator shall report directly to and be supervised by the County Administrator.

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

RESOLUTION NO. 224-08: AUTHORIZATION TO PURCHASE ADA SUPPLIES FOR POLLING SITES FOR THE WAYNE COUNTY BOARD OF ELECTIONS

Mrs. Collier presented the following:

WHEREAS, Wayne County Board of Elections needs to order ADA supplies: traffic cones, signs, etc. to assist in directing voters at polling sites; and

WHEREAS, the County's purchasing policy requires "all estimated purchase contracts of: Less than \$10,000 but greater than \$2,000 require a written request for proposal (RFP) and written quotes from three (3) vendors; and

WHEREAS, the Wayne County Board of Elections has received 4 Bids from vendors for such supplies; and

WHEREAS, the County has received a grant from New York State, HHS #T0002638 for \$12,358.00 to cover such expenses; now, therefore, be it

RESOLVED, that the County approve the purchase of the following ADA supplies from the budget of the Board of Election, Elections Expenses .54421 to be reimbursed from previous said grant for \$9,504.56 from the Traffic Safety Store for the following:

350 - 18" Traffic Cones: \$2,047.50

350 - 28" Traffic Cones: \$4,112.50

160 – Traffic Cone signs: HNDY: \$1,280.00

160 – Traffic Cone signs: VOTE: \$1,440.00

Shipping/handling: \$624.56

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

RESOLUTION NO. 225-08: AUTHORIZATION TO TRANSFER FUNDS FOR POSITIONS FOR THE WAYNE COUNTY BOARD OF ELECTIONS

Mrs. Collier presented the following:

WHEREAS, Wayne County Board of Elections has ordered forty-three (43) ballot marking devices (BMD's) ImageCast voting machines in compliance with Federal mandate to the NYS Board of Elections and Counties; and

WHEREAS, Voting Machine Technicians are required to carry out a number of duties connected with the acceptance testing of the machines, their quarterly testing, preparation for election usage, training of custodians and inspectors; and

WHEREAS, the Wayne County Board of Elections has received authorization to create and fill two (2) part-time voting machine technician positions, pursuant to Resolution No. 134-08; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to make the following amendment to the 2008 County Budget:

Account No. A1450 - BOARD OF ELECTIONS

\$12,000.00 to .51665 (Voting Machine Technicians)

\$918.00 to .58200 (Payments to Social Security)

Account No. A1990 - CONTINGENT ACCOUNT

\$12,918.00 from .54000 (Contractual Expense)

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

RESOLUTION NO. 226-08: AUTHORIZATION TO FILL VACANCY ON HEALTH SERVICES ADVISORY BOARD

Ms. Park presented the following:

WHEREAS, a vacancy exists on the Health Services Advisory Board as a result of a term expiration; and

WHEREAS, Kim Park, 6070 Lake Avenue, Wolcott, NY 14590, Town Supervisor of Wolcott and Chairman of the Health and Medical Services Committee, is willing to serve on Public Health's Health Services Advisory Board, now, therefore, be it

RESOLVED, that Ms. Park is hereby appointed to the Health Services Advisory Board for a term of office expiring 12/31/10.

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, all Supervisors voted Aye, except Supervisor Park who abstained from voting. Absent –

Supervisor Crane. The Chairman declared the Resolution adopted.

RESOLUTION NO. 227-08: AUTHORIZATION TO AMEND 2008 PUBLIC HEALTH BUDGET FOR IAP GRANT FUNDS

Ms. Park presented the following:

WHEREAS, resolution 117-08 approved submission of a budget and work plan and a contract with NYS DOH Immunization Program for \$17,850 for the period 4/1/08-3/31/09; and

and WHEREAS, Public Health has since learned that the funding has been increased to \$46,745; now, therefore, be it

RESOLVED, that resolution 117-08 is corrected herein; and be it further

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to amend the Dept. 4011, 2008 Budget in as follows:

Dept. 4011, Increase lines by:

.52201 PHS Computer Equip \$1800
.54117 PHS Nursing Supplies by \$300
.54150 PHS Office Supplies by \$345
.54166 PHS Postage by \$100
.54414 PHS Information Tech by \$2500
.54443 PHS Immunization by \$1200
.54456 PHS Printing by \$700
.54492 PHS Well Child Clinic by \$600
.54581 PHS Primary/Preventive by \$150
.54582 PHS Prenatal Care by \$100
.54599 PHS Adult Immunization Clinic by \$6500
.54621 PHS A&G Travel by \$400
.54679 PHS Nurse Practitioner by \$1000
Increase 4011.44457 IAP Claims by \$15,695

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

RESOLUTION NO. 228-08: DECLARATION OF BAD DEBT FOR WAYNE COUNTY PUBLIC HEALTH

Ms. Park presented the following:

WHEREAS, the Wayne County Public Health Dept. cost reporting requirements includes the acknowledgement of Bad Debt annually; and

WHEREAS, this year's bad debt declaration includes billings from prior years 2005 & 2006; now, therefore, be it

RESOLVED, that the Board of Supervisors acknowledges the amount of \$3,495 as the 2008 Declaration.

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

RESOLUTION NO. 229-08: AUTHORIZATION TO AMEND COUNTY BUDGET FOR MIGRANT HEALTH PROGRAM AND PURCHASE EQUIPMENT (FRIG/FREEZE)

Ms. Park presented the following:

WHEREAS, Resolution Nos. 743-06 and 186-08 amended the county budget to allow for additional funds received by the Migrant Program grant; and

WHEREAS, additional monies are needed in the equipment line to purchase a frig/freeze unit above the original amount that was transferred in resolution 186-08; now, therefore be it,

RESOLVED, that the Public Health Director is hereby authorized and directed to purchase a frig/freeze unit at a cost not to exceed \$3,000; and be it further

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to amend the 2008 budget as follows:

Account No. A4011 – Public Health Migrant Program
\$1,000 from .54634 (Migr Prog) to .52200 (Office Equip.)

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

adopted.

RESOLUTION NO. 230-08: AUTHORIZATION TO CREATE PART-TIME POSITION FOR COMMUNITY MENTAL HEALTH AIDE (CMHA) AND AMEND 2008 BUDGET FOR WAYNE BEHAVIORAL HEALTH NETWORK

Ms. Park presented the following:

WHEREAS, due to recent staffing and program changes a need for additional staff resources has been created at Wayne Behavioral Health Network; and

WHEREAS, these services are essential to the functioning of the agency and to the well being of those patients and Wayne County Residents who present to Wayne Behavioral Health Network already engaged in treatment and also who are seeking treatment; and

WHEREAS, current staff resources do not allow for other staff to assume the duties associated with this position, and it is in the best interest of the agency and the patients to authorize filling the part-time position for CMHA; now, therefore, be it

RESOLVED, that the Director of WBHN is hereby authorized to announce the availability of the position of CMHA part-time (up to 20 hours/week) and hire for said position in order to provide continued essential services to the patients who are in need as described; and be it further

RESOLVED, that the County Treasurer is hereby authorized to amend the 2008 budget as follows:

Revenues:

A43000.44469.M6320 Federal Med Salary Sharing: from \$0 to \$13,354

Appropriations:

A43001.51185.M6320 Community Mental Health Aide PT: from \$0 to \$12,260

A43001.58200.M6320 Social Security: from \$7,031 to \$7,969

A43001.58600.M6320 Disability: from \$328 to \$484

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

RESOLUTION NO. 231-08: AUTHORIZATION TO FILL STAFF VACANCY IN THE MENTAL HEALTH DEPARTMENT, AND ABOLISH COMMUNITY MENTAL HEALTH AIDE (CMHA) POSITION AND CREATE SUPPORTIVE CASE MANAGER POSITION

Ms. Park presented the following:

WHEREAS, due to a recent staff vacancy of a staff member formerly holding the position of CMHA at Wayne Behavioral Health Network; and

WHEREAS, these services remain essential to the functioning of the agency and to the well being of those patients and Wayne County Residents who present to Wayne Behavioral Health Network already engaged in treatment and also who are seeking treatment; and

WHEREAS, current staff resources do not allow for other staff assume the duties associated with this position, and it is in the best interest of the agency and the patients to authorize filling the vacated position; and

WHEREAS, the title of this position is being changed to reflect a new civil service title and job description of this position; now, therefore, be it

RESOLVED, that one (1) CMHA position is hereby abolished and one (1) position of Supportive Case Manager is hereby created; and be it further

RESOLVED, that the Director of WBHN is hereby authorized to announce the availability of the position of Supportive Case Manager and hire for said position in order to provide continued essential services to the patients who are in need as described.

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

RESOLUTION NO. 232-08: AUTHORIZATION TO PURCHASE COMPUTER EQUIPMENT AND TRANSFER FUNDS FOR THE DEPARTMENT OF AGING AND YOUTH

Mr. Hammond presented the following:

WHEREAS, two computers are to be set up in our intake rooms in order to obtain health insurance formularies and income eligibility information. However, the computers require two monitors; and

WHEREAS, the funds for the monitors are available however need to be transferred into the appropriate equipment line; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to make the following budget transfers to cover the above stated costs

Account No. A6772 – Aging and Youth

\$358 from Account No. .54456 (printing) to Account No. .52200 (equipment) and be it further

RESOLVED, the Director of Aging and Youth is hereby authorized to purchase two (2) NY OGS Aggregate buy monitors at a cost of \$179 a piece, for a total price of \$358.

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

RESOLUTION NO. 233-08: AUTHORIZATION TO HIRE SODUS POINT PARK STAFF FOR 2008 SEASON

Mr. Hammond presented the following:

WHEREAS, the Wayne County Department of Aging and Youth is requesting authorization to hire sufficient staff for the operation of Sodus Point Park for the 2008 Season including: Skills Test, Staff Orientation, Beach Operations Set-up, Lifeguard Supervised Swimming 7 days/week, 8 hours/day (11:00 a.m.-7:00 p.m.) June 24-September 1, 2008, and Staff Training; now, therefore, be it

RESOLVED, that the Chairman of the Board does hereby authorize the hiring of sufficient staff for the operation of Sodus Point Park for the 2008 season; and be it further

RESOLVED, that the rates for Staff salaries for the season will be within the approved 2008 Wayne County Budget as follows:

Director	\$11.45/hour
4 th Year+ Lifeguard	8.20/hour
3 rd Year Lifeguard	8.00/hour
2 nd Year Lifeguard	7.80/hour
1 st Year Lifeguard	7.60/hour
Assistant Director	1.15 additional/hour
Lifeguard-in-Charge	.65 additional/hour

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

RESOLUTION NO. 234-08: AUTHORIZATION TO APPOINT MEMBER TO THE AGING SERVICES ADVISORY COUNCIL

Mr. Hammond presented the following:

WHEREAS, the New York State Office for the Aging requires each Area Agency on Aging to have an Aging Services Advisory Council; and

WHEREAS, a vacancy currently exists on the Wayne County Aging Services Advisory Council and the Department of Aging and Youth has recommended Mary Ann Lane, a resident of the Town of Marion, to fill this vacancy; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors hereby appoints Mary Ann Lane to the Wayne County Aging Services Advisory Council for a term commencing on April 1, 2008 and ending on March 31, 2011; and be it further

RESOLVED, that the appointment is hereby confirmed.

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

RESOLUTION NO. 235-08: AUTHORIZATION TO PURCHASE TWO-WAY RADIO EQUIPMENT FOR SODUS POINT BEACH AND TRANSFER FUNDS

Mr. Hammond presented the following:

WHEREAS, the Department of Aging and Youth oversees the Sodus Point Beach

Program; and
there are six lifeguard stations that are manned during hours of operation and the lifeguards need to be in communication with each other as part of their duties; and

WHEREAS, four out of the existing six 2002 radios are no longer working effectively; now, therefore, be it

RESOLVED, the Director of Aging and Youth is hereby authorized to purchase four (4) Motorola BPR40 Vhf, 8 channel portable narrow band radios at a cost of \$199 each for a total of \$796; and be it further

RESOLVED, that the County Treasurer is hereby authorized to transfer the following to cover the above stated costs:

Account No. A7311 0 - Youth Program - Recreation

\$796 from .54100 (supplies) to .52200 (equipment)

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

RESOLUTION NO. 236-08: AUTHORIZATION TO EXECUTE AN AGREEMENT FOR THE PROVISION OF JANITORIAL AND CUSTODIAL SERVICES FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mr. Hammond presented the following:

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the New York State Industries for the Disabled, Inc. for the provision of Janitorial and Custodial Services at the Wayne County Department of Social Services for the period March 1, 2008 through February 28, 2009 at a cost to be determined by prevailing wage, not to exceed \$45,000 during the 3/1/08-2/28/09 timeframe and with the option to renew for up to 2 additional years.

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

RESOLUTION NO. 237-08: URGING THE STATE LEGISLATURE TO OPPOSE THE PROPOSED SHIFT OF 100 PERCENT OF THE COST OF JUVENILE DETENTION FACILITIES TO COUNTIES

Mr. Hammond presented the following:

WHEREAS, the Wayne County Board of Supervisors strongly opposes the unprecedented 2008-09 Executive Budget proposal that ends the state/local partnership in funding the costs associated with operating local detention facilities by requiring counties to assume 100 percent of the cost; and

WHEREAS, according to the 2008-09 Executive Budget proposal, effective April 1, 2008, counties will assume the full cost of youth placed by the Family Court in secure and non-secure detention facilities; and

WHEREAS, currently, the State reimburses counties 50 percent for secure and non-secure detention costs but by shifting the cost completely to counties, the State's estimated savings for this initiative is \$35.4 million; and

WHEREAS, the policy rationale behind this cost-shift is the State's recommendation that counties find alternative, diversion programs for these youth, such as community-based solutions, however, there is no possibility of diversion or other community-based alternatives for a youth who has been placed in a secure detention facility; and

WHEREAS, this is an example of a break in a state/local partnership, where local property taxpayers will be directly impacted; and

WHEREAS, at the time of this proposal, the State is currently in the process of closing many of their state owned and operated secure detention facilities, which will result in immediate state savings; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors urges the State Legislature to oppose this policy and fiscal shift of 100 percent of the cost of juvenile detention facilities to counties, and to focus on strengthening, not severing, the local/state partnership; and be it further

RESOLVED, that the Wayne County Board of Supervisors shall forward copies of this

Resolution to Governor Paterson, the New York State Legislature and all others deemed necessary and proper.

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

RESOLUTION NO. 238-08: URGING THE STATE LEGISLATURE TO OPPOSE THE PROPOSED SHIFT OF THE STATE'S HISTORIC SHARE OF PUBLIC ASSISTANCE TO COUNTIES

Mr. Hammond presented the following:

WHEREAS, the Wayne County Board of Supervisors believes that the 2008-09 Executive Budget has broken a historic, fundamental state/local partnership by proposing to increase the county share of public assistance by two percent, while simultaneously decreasing the state share by two percent; and

WHEREAS, this shift in cost sets a policy from the Governor that mandates local property taxpayers increase their taxes for public assistance, while the State saves itself \$40.5 million per year; and

WHEREAS, since 1938, counties and New York State have equally shared in the cost of public assistance at a 50 percent state, 50 percent local split for this program; and

WHEREAS, the 2008-09 Executive Budget proposes to break this historic state/local fiscal partnership by shifting a portion of the State's cost for the Family Assistance and the Safety Net program; and

WHEREAS, the Governor's proposed budget includes another serious impact to counties by implementing a local share for the cost of carving out two-parent families from the federal work participation rates, by removing the local district hold-harmless provision; and

WHEREAS, this carve-out of the two parent families will save the state approximately \$7.5 million per year, but directly, negatively impact county budgets; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors opposes any policy or fiscal initiative like this proposed increase in the local share for public assistance and "two-parent carve-out" that changes the fundamental promise Governor Spitzer made to the counties of New York State about ongoing, historic state and local partnerships; and be it further

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

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

RESOLUTION NO. 239-08: AUDIT OF CLAIMS – MARCH 18, 2008

Mr. Lyon presented the following:

WHEREAS, the following claims submitted at this meeting of the Board of Supervisors have been examined and approved by the appropriate Committees; now, therefore, be it

RESOLVED, that the following Claims are hereby approved for payment and the Treasurer is hereby authorized and directed to make payment of the same:

1. A Fund	\$ 2,644,767.03
2. D Fund	\$ 937,285.10
3. DM Fund	\$ 116,275.73
4. E Fund	\$ 179,315.07
5. H Fund	\$ 29,409.94
6. MS Fund	\$ 12,877.44
7. S Fund	\$ 29,371.15
Warrant Total	\$ 3,949,301.46

(reflects a \$103.94 credit adjustment from February Audit)

and be it further

RESOLVED, that the following utilities totaling \$162,811.83, processed pursuant to Resolution No. 176-78, are hereby ratified:

1. A Fund	\$ 120,788.28
2. DM Fund	\$ 8,703.72
3. E Fund	\$ 33,319.83

Utility Total	\$	162,811.83
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and be it further
RESOLVED, that miscellaneous disbursement checks were processed for the following
County Departments, totaling \$89,183.89, are hereby ratified:

1. Nursing Home	\$	80,216.00
2. Personnel/Payroll	\$	4,752.50
3. Probation	\$	340.00
4. Sheriff's Office	\$	2,432.77
5. Social Services	\$	1,039.00
6. Wayne Behavioral Health	\$	403.62
Misc. Disbursement Total	\$	89,183.89

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

RESOLUTION NO. 240-08: AUTHORIZATION TO AMEND 2008 PUBLIC HEALTH BUDGET FOR MIGRANT GRANT PURCHASE OF EQUIPMENT

Ms. Park presented the following:
WHEREAS, the Migrant Program has an extension on the 2007 grant; and
WHEREAS, the Program has received additional funding that must be used by March 31, 2008; and
WHEREAS, the program work plan includes clinics for the Migrant population that will provide nursing services, immunizations and education; now, therefore, be it
RESOLVED, that the Director of Public Health is hereby authorized and directed to purchase a Pulse Oximeter and case at a cost not to exceed \$405 and a DVD player at a cost not to exceed \$200; and be it further
RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to amend the 2008 budget as follows:
Account No. A4011 – Public Health Migrant Program
\$605 from .4634 (Migrant Nurse Program) .52200 (Office Equipment)
Mrs. Collier moved the adoption of the resolution. Seconded by Mr. Lyon. Upon roll call, adopted.

Ms. Park moved, seconded by Mr. Plant that two (2) resolutions be allowed on the floor under other business. Upon roll call, all Supervisors voted Aye. Absent – Supervisor Crane. Carried.

RESOLUTION NO. 241-08: AUTHORIZATION TO AMEND THE RULES OF ORDER FOR THE YEAR 2008

Mr. Plant presented the following:
RESOLVED, that the Rules of Order for the year 2008 are hereby amended as follows:

**WAYNE COUNTY BOARD OF SUPERVISORS
RULES OF ORDER - 2008**

RULE 1. Organizational Meeting

A. The organizational meeting of the Board shall be held on or before January 8 in each year. Written notice of the time and date of this meeting shall be mailed to all Supervisors by the Clerk at least 48 hours in advance of the meeting. The Clerk shall call the meeting to order and the first order of business shall be to conduct the election of a permanent Chairperson for the ensuing year.

B. In the absence or inability of the Chairperson to act, the designated Majority Leader shall be acting Chairperson and shall possess all powers and perform all duties of the Chairperson of the Board and shall serve without additional compensation. In the event of this occurrence, the Majority Leader shall not act in both capacities. The Majority Caucus shall designate an acting Majority Leader for so long as the Majority Leader is acting Chairperson.

The Board, under the Chairperson, shall then proceed with:

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

RULE 2. Regular Meetings:

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

RULE 3. Special Meetings:

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

RULE 4. Place of Meetings:

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

RULE 5. Quorum:

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

RULE 6. Presence of County Attorney:

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

RULE 7. Temporary Chairperson:

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

RULE 8. Order of Business:

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

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

RULE 9. Roll Call:

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

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

RULE 10. Approval of Minutes of Previous Meeting:

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

RULE 11. Payment of Claims:

The Clerk shall have received by the 5th of each month all claims to be paid that month. Each claim shall be approved by the department or committee having authority for the purchase. Claims shall be listed in summary, showing each claim by number and amount and total amount for each department. Claims shall be presented to the Board at regular meeting.

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

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

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

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

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

RULE 12. Communications:

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

RULE 13. Resolutions and Motions:

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

The term resolution as herein used shall mean a formal proposed action in writing. Every appropriation requiring expenditure of funds shall be by resolution. Every resolution shall contain a short title setting forth the purpose of the proposed action.

All resolutions shall be filed with the Clerk no later than four days prior to the date of the meeting at which the resolutions are to be presented. All Department Heads will file resolutions and committee agendas with the County Administrator at least one week prior to their standing committee date.

The County Administrator shall refer each resolution originated by a Department Head or

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

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

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

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

Rule 14. Rules of Debate:

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

- a. Fix the Time at Which to Adjourn:
(requires second, not debatable, may be amended & requires a majority).
- b. Adjourn:
(requires second, not debatable, may not be amended & requires a majority).
- c. Recess:
(requires second, not debatable, may be amended & requires a majority).
- d. Suspend Rules:
(requires second, not debatable, may not be amended & requires a 2/3 vote without previous notice)
- e. Lay on the Table:
After a motion is stated and it is in the possession of the Board, it may be laid on the table until requested to come back before the Board. (may be amended & requires a majority).
- f. Previous Question:
(requires second, not debatable, may not be amended & requires a 2/3 vote).
- g. Limit or Extend Limits of Debate:
(requires second, not debatable, may be amended, & requires a 2/3 vote).
- h. Postpone:
The object is to set a time when a matter must be considered (requires second, debatable, may be amended & requires a majority).
- i. Commit or Refer:
(requires second, debatable, may be amended & requires a majority).
- j. Hold a Motion:
After a motion is stated and it is in possession of the Board, before discussion or amendment, it may be held until the next meeting day if requested by any member of the Board provided such request is made on his first recognition by the Chairperson, but only one such request shall be granted on only one motion with 2/3 vote.
- k. Amend:
(requires second, debatable, may be amended & requires a majority).
- l. Postpone Indefinitely:
The object is to kill a local law, resolution, or motion (requires second, debatable, may not be amended & requires a majority).
- m. Withdraw:
The maker of a local law, motion, or resolution has the right to request a "Withdraw" at any time. The maker and the person who seconded it can withdraw a motion that has been seconded before any debate, with 2/3 vote. Once a local law, motion, or

resolution is under debate, permission by a motion seconded and approved by majority vote is required (not debatable, may not be amended & requires a majority vote). If there is an objection to the request to withdraw, a vote of the Board shall be taken.

- n. **Take From Table:**
Must be "Taken from Table" after tabling motion was made (requires second, not debatable, may not be amended & requires a majority).
- o. **Reconsider:**
To bring up a question for discussion and obtain a new vote. Only one who voted with prevailing side can make this motion, but anybody can second; can only be made on same day (requires second, debatable, may not be amended & requires a 2/3 vote).
- p. **Rescind:**
To annul some action, no matter how old, except where action has been taken that cannot be undone. Rescind a motion any time can be moved by anyone; requires a second, except "to give notice." If "Notice" of the motion to be proposed was given at a previous meeting or pre-filed for this meeting, a majority vote will carry. No "Notice" given requires two-thirds vote to carry (requires second, debatable, may be amended & requires a 2/3 vote without previous notice).
- q. **Renew:**
Used to reintroduce a local law, resolution, or motion again at a future session. Can be made and seconded by any Legislator (requires second, debatable, may be amended & requires a 2/3 vote without previous notice).

RULE 15. Resolutions, Filing Deadline:

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

RULE 16. All Committees:

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

RULE 17. Unfinished Business:

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

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

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

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

RULE 18. Agenda:

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

RULE 19. Amendments:

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

RULE 20. Suspension of Rules:

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

RULE 21. Addressing the Board:

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

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

RULE 22. Call to Order:

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

RULE 23. Voting Requirement:

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

RULE 24. Required Ayes and Nays:

Taking into consideration Rule 34, hereafter, at the Chairperson's discretion with the Boards' consent, the ayes and nays shall be taken by vote on any resolution appropriating money, levying taxes, confirming reports of committees and making appointments and fixing salaries and upon any other motion or resolution when demanded by any member of the Board.

RULE 25. The Order of Rules:

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

RULE 27. Several Propositions:

If the question in debate contains several distinct propositions, the same may be divided by the

Chairperson at the request of any member to the end that a vote may be taken on each proposition.

RULE 28. Privilege of the Floor:

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

RULE 29. Motion to Reconsider:

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

RULE 30. Motion to Rescind:

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

RULE 31. Weighted Voting:

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

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

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

RULE 32. Committee Vote and Records:

Because committee reports and recommendations are not binding, Standing Committees shall

not use a weighted vote in committee recommendations, however, any member of the Board in compliance with Rule 14 may offer a motion or resolution regarding any matter referred to Committee with or without the benefit of the Committee's report or recommendation. The Standing Committee shall report to the full Board the names of members in favor of or opposed to any measure which is not unanimous. If there is dissent in committee, a member of the dissenting group may present a report of the minority to the Board. Each committee shall take attendance and keep summary minutes of business transacted, said minutes to be turned over to the Clerk for record.

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

RULE 33. Order of Voting:

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

RULE 34. Short Roll Call:

In conjunction with Rule 27, the Chairperson may ask for a short roll call on a matter having no controversy or debate, and hearing no objection, the Clerk may ask for the vote of the Supervisors from Arcadia and Wolcott, or first and last towns alphabetically present at meeting, and if their vote is in agreement the vote will be recorded as unanimous. If there is disagreement, there shall be a full roll call.

RULE 35. Standing Committees:

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

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

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

No. 1

5 Members

FINANCE COMMITTEE

- a. County Treasurer
 - tax advertising
 - contingency fund
 - projects
 - community college
 - liability and causality reserve fund
 - uncollected insurance
 - judgment and claims

- expenses on acquired property
- hospital and medical insurance
- interfund transfers
- serial bond
- library
- Medical Scholarship
- Educational TV
- b. Information Technology
- c. Real Property Tax

No. 2 5 Members

PUBLIC SAFETY COMMITTEE

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

No. 3 5 Members

PUBLIC WORKS COMMITTEE

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

No. 4 5 Members

ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE

- a. Economic Development
 - industrial development site
- b. Planning
 - solid waste
 - joint municipal projects
 - agricultural districts
- c. Tourism
 - publicity
- d. Bus Operations
- e. Cooperative Extension
- f. Palmyra Union Ag. Society
- g. Fish and Game

No. 5 5 Members

GOVERNMENT OPERATIONS COMMITTEE

- a. Legislative Board
 - rules of order

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

No. 6 5 Members

HEALTH AND MEDICAL SERVICES COMMITTEE

- a. Nursing Home
- b. Public Health
- c. Mental Health

No. 7 5 Members

HUMAN SERVICES COMMITTEE

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

RULE 36. Special Committees:

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

RULE 37. Committee Meetings:

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

RULE 38. Executive Session:

On motion of any member duly seconded and carried by a majority vote, the Board shall go into executive session, presided over by the Chairperson of the Board, during which time any

matters permitted under the New York State Open Meeting Law may be discussed, debated and voted upon. Only members of the Board shall participate in the executive session and such other persons may be called into the session as may be necessary.

RULE 39. Minutes

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

RULE 40. Parliamentary Law:

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

RULE 41. Adopted Rules:

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

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

James Marquette, Wayne County Administrator; Daniel Wyner, Wayne County Attorney and Keith Kubasik, Fiscal Manager, made a short presentation outlining the changes and to entertain questions regarding the 2008-2010 Collective Bargaining Agreement with the IUE-CWA Professional Service Workers.

RESOLUTION NO. 242-08: AUTHORIZE THE RATIFICATION OF THE 2007-2010 COLLECTIVE BARGAINING AGREEMENT WITH THE IUE-CWA PROFESSIONAL SERVICE WORKERS, LOCAL 81382 (AMENDED)

Mrs. Collier presented the following:

WHEREAS, Wayne County ("the County") and the IUE-CWA Professional Service Workers, Local 81382 ("the Association") have negotiated a Collective Bargaining Agreement ("the Agreement) establishing terms and conditions of employment for the three (3) year period commencing January 1, 2007 and ending December 31, 2010; and

WHEREAS, the Union Negotiating Committee has reviewed the provisions; and

WHEREAS, the County Administrator has reviewed the Agreement with the Board of Supervisors and a memorandum of Agreement outlining the material changes in the Agreement has been filed with the Clerk of the Board of Supervisors; now, therefore be it

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

Mr. Plant moved to amend the Resolution, seconded by Ms. Park, to have the resolution title to reflect the year 2008-2010; and further, to change the commencement date to January 1, 2008 within the resolution. Motion carried.

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

ADJOURNMENT:

The next scheduled meeting of the Board is Tuesday, April 15, 2008 at 9:00 a.m.

Ms. Park moved, seconded by Mr. Fabino, that the board adjourn at 9:52 a.m. Carried.

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