

8th Day
Tuesday, June 17, 2008
7:00 p.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 Kelsch who was absent County Administrator James Marquette and County Attorney Daniel Wyner were also present.

APPROVAL OF MINUTES:

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

SUMMARY OF CLAIMS BY COMMITTEE:

Committee No. 1	Finance	
A13252	Treasurer	65,460.00
A13254	Treasurer	30,131.06
A13554	Assessment - Real Property Tax	281.95
A16802	Information Technology	16,991.48
A16804	Information Technology	14,846.76
A19304	Judgments & Claims	3,620.99
A24904	Community College	162,606.93
H19082	FMS System Update	18,402.50
H19352	Enhance911 Emergency Telephone	<u>3,594.87</u>
		\$315,936.54
Committee No. 2	Public Safety	
A11652	District Attorney	1,282.71
A11704	Public Defender	6,264.88
A11724	Legal Defense of Indigents	55,738.88
A11734	Wayne Pre-Trial Services, Inc.	8,869.92
A11854	Coroner	2,993.52
A11904	Grand Jury	1,155.45
A31104	Sheriff	5,043.14
A31114	Sheriff – Recreational	149.56
A31124	Sheriff - Civil Office	20,768.10
A31124	Sheriff - Civil Office	569.17
A31134	Sheriff - Juvenile Office	241.30
A31144	Sheriff - Road Patrol	28,226.27
A31144	Sheriff - Road Patrol	7,317.24
A31154	Sheriff - Detective Unit	1,634.89
A31164	Sheriff - Court Security	518.14
A31174	Animal Abuse Investigations	264.78
A31404	Probation	4,816.44
A31504	Sheriff – Jail	41,474.82
A33154	Stop DWI	3,136.21
A34104	Mutual Aid (Fire Coordinator)	348.88
A36404	Emergency Management Office	178.14
A36424	E911 Communications	4,694.50
A36444	ALS Services	2,745.89
TE	Trust, Expendable	<u>1,326.55</u>
		\$199,759.38

Committee No. 3	Public Works	
A16150	Buildings & Grounds	190.00
A16152	Buildings and Grounds	26,347.57
A16154	Buildings and Grounds	43,108.74
A16404	Central Garage	13,301.98
A66104	Consumer Affairs (W&M)	894.00
A66104	Consumer Affairs (W&M)	94.00
A87304	Soil Conservation	42.19
D50202	Highway Engineering	247.75
D51104	Maintenance of Roads & Bridges	126,283.94
D51114	Road Striping and Sign Maint	40,181.55
D51122	Road Construction	399,253.66
DM51304	Road Machinery	<u>83,863.59</u>
		\$733,808.97
Committee No. 4	Economic Development & Planning	
A56324	Bus Operations	9,594.45
A63264	Economic Development Admin	91,510.50
A64104	Publicity (Tourism)	2,600.49
A64114	Tourism Matching Funds Program	13,584.55
A80204	Planning Board	<u>869.89</u>
		\$118,159.88
Committee No. 5	Government Operations	
A10102	Legislative Board	415.70
A10404	Clerk Legislative Board	334.33
A12304	County Administration	62.00
A14104	County Clerk	2,307.69
A14204	County Attorney	13,039.96
A14304	Personnel Department	2,112.83
A14314	Cafeteria Plan	648.76
A14504	Board of Elections	131.66
A16704	Undistributed Meter Postage	20,000.00
A16714	Printing Department	3,187.25
A16724	Court House Xerox	118.22
A75104	County Historian	1,170.00
S17104	Workers Comp	<u>1,437.50</u>
		\$54,922.79
Committee No. 6	Health & Medical Services	
A40102	Public Health	952.09
A40104	Public Health	10,026.46
A40112	Public Health Service	511.62
A40114	Public Health Service	35,435.04
A40162	PH - Early Intervention 0-1	157,737.63
A40174	PH - Child w/Spec Needs 3-5	619,044.95
A40182	Public Health Education	9,057.74
A40194	Wayne Community Nursing Care	34,586.01
A40204	PH - EMS Coordinator	214.62
A43004	Behavioral Health	15,332.00
A43004	Behavioral Health	80,535.08
A43224	Community Providers	169,930.00
E60004	NH Combined	11,366.13
E60004	NH Combined	<u>293,866.49</u>
		\$1,438,595.86
Committee No. 7	Human Services	
A60104	Administration	120,750.65

A60704	Purchase of Services	1,500.00
A61234	Juv Delinquent Care	80.00
A61404	Safety Net	560.00
A62124	WFD/DSS Intensive Employment	1,353.30
A62144	Economic Opportunity & Develop	649.69
A62174	WFD-DSS Wage Subsidy	975.96
A62924	WFD-APY Grant	502.78
A62934	WIA Adult	848.57
A62944	WIA Dislocated	1,561.83
A62954	WIA Youth	1,201.48
A62964	TANF Summer	858.00
A65104	Veteran Services	812.58
A67724	Area Agency on Aging	46,772.60
A73104	Youth Bureau	16,444.28
A73112	Youth Program-Recreation	796.00
A73114	Youth Program-Recreation	171.67
		195,839.39

Warrant Total	\$3,057,602.73
During the Month Utilities	102,440.49

Mr. Plant moved, seconded by Mr. Lauderdale, 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 May 2008 in the amount of \$16,850.88 was received and filed.

Notice of Public Hearing for the Town of Huron was received from the Wayne County Industrial Development Agency for a real estate transfer for Empire Fruit Growers Co-op, Inc. scheduled for June 20, 2008 at 9:30 a.m.

An adopted Resolution was received from Broome County for the opposition of Proposed State Legislation to address policies regarding health benefits of retirees and future retirees.

A copy of the minutes from the May 7, 2008 Finger Lakes Veterans Advisory Committee for the VA Medical Center was received and filed.

A letter was received from the NYS Department of State to announce that the solicitation of grant applications to prepare or implement Local Waterfront Revitalization Programs.

A letter of resignation was received from Pamela A. Rogers, for her position on the Board of Directors for the Western Finger Lakes Authority, effective May 23, 2008.

A copy of the 2007 Annual Report from the Council on Alcoholism and Addictions of the Finger Lakes was received and filed

A letter was received from John Ulberg, Jr., Director of the Division of Health Care Financing for the NYS Department of Health, regarding the processing of pending Medicaid rate adjustments for the Wayne County Nursing Home.

A letter of approval was received from the NYS Governor's Traffic Safety Committee regarding the 2008 STOP-DWI Plan for Wayne County

The Board received letters and e-mails from Corrine Kleisle, Mayor of the Town of Lyons; Patricia Alena; John McCranels; Andrea T. Evangelist representing the Lyons Civic Club; Vicky Daly, Mayor of the Village of Palmyra; Larry Ann Evans, Executive Director of the Museum of Wayne County History; Carol Bailey, Town of Lyons Historian; Murray F. Gould, Port City Preservation; Donna Iocco; Dan and Marcia Bilancini; Gerry Clingerman; Kristi Fox; Jane and Ron DeCracker; Joan Santelli; Elaine Brittingham; Carole Santelli; Stella Santelli; Patricia Fletcher; Ed Rosen; Susan Prokop; Steven E. Davis; Lois and LeRoy Netter; Mary Tranelli; Richard Amundson; Ed Polk Douglas; Richard Kelley, Hotchkiss Steering Committee,

all concerned citizens regarding the preservation of the historic H.G. Hotchkiss Building. It is the intention of these citizens that they convey to the Board to vote for the easement and restoration of the property and utilize the grant funding that was previously awarded to Wayne County for the preservation of this historic building.

A letter was received from Matt Murell of the NYS Office of Children Family Services regarding the revised allocation for Youth Programs for Wayne County due to the 2% reduction for YDDP, SDPP and RHYA Funding in the 2008-09 NYS adopted budget.

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

BIDS:

WC Highway Department

- Rehabilitation of the North Wayneport Road Project
- Bridge Replacement for the Leroy Island Bridge Project

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

PRIVILEGE OF THE FLOOR:

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

Chairman Hoffman introduced Colleen Anderson of Governor Paterson's Office. Ms. Anderson read a letter from the Governor regarding the damage sustained by the severe hail and wind storm that devastated the area on June 16th. She reported that the Governor is committed to provide every form of assistance to the farmers and residents of Wayne County and the surrounding area in the aftermath of this storm.

Mr. Pant moved, seconded by Mr. LeRoy that one (1) resolution be allowed on the floor under other business. Upon roll call, all Supervisors voted Aye. Absent – Supervisor Kelsch. Carried.

RESOLUTION NO. 397-08: REQUESTING RELIEF FOR WAYNE COUNTY FRUIT GROWERS AND CROP FARMERS AFFECTED BY THE JUNE 16, 2008 STORMS AND REQUESTING GOVERNOR PATERSON TO DECLARE DISASTER AND REQUESTING FEDERAL GOVERNMENT TO PROVIDE ASSISTANCE

Mr. Spickerman presented the following:

WHEREAS, portions of Wayne County were stuck by damaging storms including wind and hail on June 16, 2008; and

WHEREAS, these storms brought devastating impacts to Wayne County Fruit Growers and Crop Farmers; and

WHEREAS, fruit growing and crop farming are very important components of Wayne County's economy; and

WHEREAS, significant portions of the produce and crops have been destroyed or damaged as a result of these storms; and

WHEREAS, the agricultural businesses affected by these storms cannot sustain these losses; and

WHEREAS, in addition to the loss of produce some have incurred increased costs in attempt to save what is left of crops; and

WHEREAS, Crop Insurance will not adequately cover the losses; and

WHEREAS, the agriculture community in Wayne County is in need of immediate assistance from New York State and the United States Government in order to recover from these storms; now therefore be it

RESOLVED, that the Wayne County Board of Supervisors hereby requests New York State Governor Paterson to declare Wayne County a disaster area; and be it further

RESOLVED, that the Wayne County Board of Supervisors hereby requests the United States Government to provide whatever assistance that is necessary to help those affected by this storm; and be it further

RESOLVED, that the Wayne County Board of Supervisors requests its elected representatives to actively pursue additional Federal assistance to provide supplemental disaster relief to those affected; and be it further

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to send a copy of this resolution to Governor David A. Paterson, United States Congressman James T. Walsh, NYS Assembly Leader Sheldon Silver, NYS Senate Leader Joseph L. Bruno, Assemblyman Robert C. Oaks, NYS Senator Michael F. Nozzolio, United States Senator Charles Schumer, United States Senator Hillary Rodham Clinton.

Chairman Hoffman welcomed Mr. Phillip Wagner, President of the Wayne County Farm Bureau and many farm bureau members and their families to the board meeting. Mr. Wagner addressed the Board to inform them of the enormous damage caused by the hail and wind storm, yesterday, and to enlighten the board of the immeasurable setback this storm has caused many farming families and residents in this region.

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

The Clerk read the following Notice of Public Hearing that was scheduled for 7:15 p.m.

**COUNTY OF WAYNE
NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAW**

NOTICE IS HEREBY GIVEN that the Wayne County Board of Supervisors will hold a public hearing on Tuesday, June 17, 2008 at 7:15 p.m. in the Supervisors Chambers in the County Court House, 26 Church Street, Lyons, New York, on the following proposed local law:

COUNTY OF WAYNE - STATE OF NEW YORK

A local law amending Local Law No. 4-2005, entitled "Adoption of Local Law to Impose a Mortgage Recording Tax within the County of Wayne".

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

SECTION 1

Section 1 of Local Law 04-2005 entitled "Adoption of Local Law to Impose a Mortgage Recording Tax within the County of Wayne" is hereby amended to read as follows:

Section 1. Imposition of Tax

Pursuant to Chapter 164 of the Laws of 2005, for the period beginning June 17, 2008 and ending June 16, 2011, there is hereby imposed, in the county of Wayne, a tax of \$0.25 for each \$100.00, and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within the county of Wayne and recorded on or after August 1, 2008 and a tax of \$0.25 on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than \$100.00.

SECTION 2

Section 7 of Local Law 04-2005 entitled "Adoption of Local Law to Impose a Mortgage

Recording Tax within the County of Wayne" is hereby amended to read as follows:

Section 7. Effective Date

This local law shall take effect on the first day of August 1, 2008, provided a certified copy thereof is mailed by registered or certified mail to the New York State Commissioner of Taxation and Finance at least 30 days prior to such date. Certified copies of this local law shall also be filed with the Wayne County Clerk, the Secretary of State, and the State Comptroller within five days after the date it is duly enacted; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to give at least five days notice of such hearing by posting such notice upon the bulletin board at the Court House, Lyons, New York, and by publishing such notice at least once in the official newspapers of the County.

Dated: May 29, 2008
Lyons, New York

Sandra J. Sloane, Clerk
Wayne County Board of Supervisors

After the Clerk read the Notice of Public Hearing, the Chairman opened the floor for public comment. After time was given for all interested people to be heard, Mr. Fabino moved, seconded by Mr. Colacino, that the hearing be closed. Upon roll call, carried.

RESOLUTION NO. 398-08: AUTHORIZATION TO APPOINT MEMBER TO THE FINGER LAKES WORKFORCE INVESTMENT BOARD

Mr. Hammond presented the following:

WHEREAS, this Board, has authorized the creation of the Finger Lakes Workforce Development Board for the Counties of Wayne, Yates, Seneca and Ontario in compliance with the Workforce Development Investment Act (WIA) of 1998; and

WHEREAS, the current member, Mr. Keith Kubasik, term ends June 30, 2008 and the County of Wayne is recommending the Mr. James Marquette, County Administrator, be appointed to a term commencing July 1, 2008 and ending June 30, 2011; and

WHEREAS, the Workforce Investment Board members must be appointed by the respective Legislative Boards; and

WHEREAS, terms of appointment for each member will be made in accordance with the Finger Lakes Workforce Investment Board By-Laws; now, therefore be it

RESOLVED, that this Board does hereby appoint the following to the Finger Lakes Workforce Investment Board for a term commencing July 1, 2008 to June 30, 2011:

James Marquette, County Administrator
Wayne County WIA Title I Representative
Wayne County
26 Church Street
Lyons, New York 14489

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

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

RESOLUTION NO. 399-08: AUTHORIZATION TO REMOVE AND APPOINT YOUTH BOARD MEMBERS

Mr. Hammond presented the following:

WHEREAS, Carol Spellman, Town of Savannah representative requests to be removed as a member of the Wayne County Youth Board due to change in circumstances, and

WHEREAS, five members of the Youth Board have agree to serve an additional 3 year term, and

WHEREAS, The Department of Aging and Youth continues to increase youth representation on the Wayne County Youth Board, therefore be it

RESOLVED, that Carol Spellman be removed from the Youth Board, and therefore be it

RESOLVED, that the Board of Supervisors reappoint the following members for another three year term expiring 2011, and therefore be it

Donna Johnson
3590 Sheridan Rd.
Marion, NY 14505

Laurie McFaul-Frey
6610 N. Geneva Rd.
Sodus, NY 14551

Norine Orsini
2677 White Birch Cove
Williamson, NY 14589

Susan VanAcker
7445 Wintergreen Pt.
Wolcott, NY 14513

Mike Muscolino
696 Filkins Rd.
Newark, NY 14513

RESOLVED, that the Board of Supervisors appoint to the Wayne County Youth Board the following individuals for a three year term, expiring 2011:

Richelle Coons
64 Maple St.
Lyons, NY 14489

Kayla James
8833 Helch Rd.
Lyons, NY 14489

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

RESOLUTION NO. 400-08: 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 Christine Lauster, a resident of the Village of Clyde, to fill this vacancy; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors hereby appoints Christine Lauster to the Wayne County Aging Services Advisory Council for a term commencing on July 1, 2008 and ending on June 30, 2011.

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

RESOLUTION NO. 401-08: AUTHORIZE CONTRACT WITH WAYNE COUNTY ASSOCIATION OF RETARDED CITIZENS FOR CHILD ONLY SERVICES

Mr. Hammond presented the following:

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

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

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

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into a contract with Wayne ARC, subject to the County Attorney's review, for Child-Only case services in an amount not to exceed \$75,000 for the time frame 7/1/08-6/30/09; and be it further

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

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

RESOLUTION NO. 402-08: AUTHORIZE CONTRACT FOR WAGE SUBSIDY PROGRAM WITH WAYNE ASSOCIATION FOR RETARDED CITIZENS

Mr. Hammond presented the following:

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

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

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

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

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into an agreement with Wayne ARC for a Wage Subsidy Program in an amount not to exceed \$100,000, subject to the review of the County Attorney, for the timeframe 7/1/08-6/30/09.

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

RESOLUTION NO. 403-08: AUTHORIZE CONTRACT FOR WAGE SUBSIDY PROGRAM WITH WAYNE COUNTY OFFICE OF WORKFORCE DEVELOPMENT

Mr. Hammond presented the following:

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

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

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

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

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into an agreement with Wayne County Office of WFD for a Wage Subsidy Program in an amount not to exceed \$100,000, subject to the review of the County Attorney, for the timeframe 7/1/08-6/30/09.

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

RESOLUTION NO. 404-08: AUTHORIZE MEMORANDUM OF UNDERSTANDING WITH WAYNE COUNTY DEPARTMENT OF PROBATION AND CORRECTIONAL ALTERNATIVES FOR COOPERATIVE DIVERSION PROCEDURES

Mr. Hammond presented the following:

WHEREAS, New York State requires the designation of a lead agency for the PINS process; and

WHEREAS, the Wayne County Probation Department has acted in this capacity for the past few years; and

WHEREAS, there needs to be in place specified procedures for the PINS population; now, therefore, be it

RESOLVED, that the Commissioner of the Wayne County Department of Social Services

is hereby authorized to sign a Memorandum of Understanding for Cooperative Diversion Procedures between the Wayne County Department of Probation and Correctional Alternatives and the Wayne County Department of Social Services for the time period 7/1/08 – 6/30/09.

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

RESOLUTION NO. 405-08: AUTHORIZATION TO SIGN AGREEMENTS WITH CHILD CARING INSTITUTIONS

Mr. Hammond presented the following:

WHEREAS, the Wayne County Department of Social Services (DSS) needs to place children in child caring institutions, at times, to promote their health and safety; and

WHEREAS, payment for these services is not determined by the county but is dictated by New York State; and

WHEREAS, it has been the practice of DSS to have in place contracts with various child caring institutions to facilitate a child's placement on a timely basis; now, therefore, be it

RESOLVED, that the Commissioner of the Wayne County Department of Social Services is hereby authorized to execute agreements with authorized agencies for the time frame 7/1/08-6/30/09 for the purchase of foster care for children, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 406-08: AMEND CONTRACT WITH WAYNE COUNTY ASSOCIATION FOR RETARDED CITIZENS (ARC) FOR SERVICES TO NON-COMPLIANT RECIPIENTS

Mr. Hammond presented the following:

WHEREAS, the County of Wayne on behalf of the Wayne County Department of Social Services (DSS) entered into a contract with Wayne ARC as authorized by Resolution 270-04 and amended by Resolution No. 99-08; and

WHEREAS, due to the success of this program, Wayne DSS desires to extend the timeframe of this contract through 12/31/08 using \$25,000 of TANF funding; and

WHEREAS, this program helps Wayne DSS meet federal participation rate requirements; now, therefore, be it

RESOLVED, that Resolution 270-07 is hereby further amended to read that the total is not to exceed \$75,850 and the timeframe is hereby extended to 12/31/08; and be it further

RESOLVED, that there are no county monies included in the cost of this amendment.

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

RESOLUTION NO. 407-08: AUTHORIZE CONTRACT WITH VICTIM RESOURCE CENTER OF THE FINGER LAKES, INC. FOR DOMESTIC VIOLENCE SERVICES

Mr. Hammond presented the following:

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

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

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

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to execute a contract on behalf of the County of Wayne and the Wayne County Department of Social Services, subject to the County Attorney's review as to form and content, with the Victim Resource Center of the Finger Lakes, Inc. for Domestic Violence Services at a cost not to exceed \$21,500 for the time frame 7/1/08-6/30/09; and be it further

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

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

adopted.

RESOLUTION NO. 408-08: AUTHORIZE CONTRACT WITH WAYNE COUNTY ACTION PROGRAM FOR FAMILY VIOLENCE PARENT EDUCATION SERVICES

Mr. Hammond presented the following:

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

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

WHEREAS, this partnership has been effective as implemented; now, therefore, be it RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to execute a contract on behalf of the County of Wayne and the Wayne County Department of Social Services, subject to the County Attorney's review as to form and content, with the Wayne County Action Program for Family Violence Parent Education Services to a cost not to exceed \$18,000 for the time frame 7/1/08-6/30/09; and be it further

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

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

RESOLUTION NO. 409-08: AUTHORIZE AMENDING 2008 VETERANS SERVICE AGENCY BUDGET TO INCREASE BURIAL AMOUNT

Mr. Hammond presented the following:

WHEREAS, the Veterans Services Agency is responsible for the cost of burials for Veterans of Wayne County who qualify for this coverage, and

WHEREAS, the amount of \$25,000.00 that was budgeted in 2008 for burials will be expended prior to the years end based upon the first 5 months expenditures and an additional \$12,500.00 may be required; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to amend the 2008 County Budget for the Veterans Services Agency as follows:

A6510-VETERANS SERVICE AGENCY

\$12,500.00 to .54510 Burials

A1990-CONTINGENT FUND GENERAL

\$12,500.00 from .54000 Contractual Expense

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

RESOLUTION NO. 410-08: AUTHORIZATION TO SET SALARY FOR SUPERVISOR POSITION AT WAYNE BEHAVIORAL HEALTH NETWORK (DUE TO RESIGNATION & RETIREMENT)

Ms. Park presented the following:

WHEREAS, a confidential/management position, Program Supervisor, vacancy is anticipated in the Wayne County Community Behavioral Health Department; and Whereas, the County Administrator anticipates authorizing the advertising and refilling of the position effective July 3, 2008; and

WHEREAS, no formal classification or salary schedule exists for management and confidential employees; and

WHEREAS, the county anticipates developing such a schedule in the future; and

WHEREAS, the County Administrator does not have the authority to set salaries without a Board of Supervisors approved salary schedule; and

WHEREAS, the County Administrator has recommended a starting salary for this position consistent with the current budget; and

WHEREAS, the department needs to begin to recruit for the position; now therefore be it

RESOLVED, that the salary for the vacant Program Supervisor is hereby established up to \$48,000 per year.

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

RESOLUTION NO. 411-08: AUTHORIZATION FOR TRANSFER OF VACATION LEAVE TIME FOR WAYNE BEHAVIORAL HEALTH NETWORK EMPLOYEE

Ms. Park presented the following:

WHEREAS, the following Wayne County employees are desirous to donate their designated vacation leave time to Nancy Simms in order to help her extend and cover leave time necessary for personal circumstances:

The following employees listed below donate vacation leave hours as noted:

Wendi Edwards -3	James Arena -3	Tammy Graham-3	AnneMarie Fisher-3
Bonnie Reynolds -3	Kelly Smith-3	Pat Nelson-Stuck -3	Royle Miralles -3
Beth Bitonti -3	Amy Henkel -3	Kathryn Haynes -3	Melody Hitchner -3
Martha Lynch -3	Cathy Bump -3	Tiffany Garofono-3	L. Rynearson-3
Kerry Christoher-1	J. Mark Reynolds -3	James Haitz -3	Donna Dunn –3
Maria Jones -3	Eileen Ersteniuk -3	Kim Bautista –3	Lauren Morgan –3

Peg Haust-Arliss -1
now, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to transfer a total of 71 hours of leave time to Nancy Simms; and be it further

RESOLVED, that the hours are now hereby that of Nancy Simms and will not be returned to said donors.

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

RESOLUTION NO. 412-08: AUTHORIZATION TO WAYNE BEHAVIORAL HEALTH NETWORK TO EXECUTE CONTRACT WITH ODYSSEUS ADAMIDES, MD TO PROVIDE PSYCHIATRIC MEDICAL SERVICES

Ms. Park presented the following:

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

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

WHEREAS, Wayne Behavioral Health Network is in need of additional essential psychiatric medical staff services for our forensic services, alcohol and substance abuse services and our mental health clinic services, and also due to the resignation of one of our contracted providers; and

WHEREAS, Dr. Adamides is a NYS Licensed Psychiatrist and also a Diplomat of the American Board of Psychiatry and Neurology, and a Certified Forensic Psychiatrist and can provide such services as needed; now therefore be it

RESOLVED that the Chairman of the Wayne County Board of Supervisors is hereby authorized 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 Odysseus Adamides, MD, NYS Licensed Psychiatrist, at the rate of \$130.00/hour for the period of June 25, 2008 thru Dec. 31, 2008, at a total cost not to exceed budgeted funds for said contractual services.

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

RESOLUTION NO. 413-08: AUTHORIZATION TO ESTABLISH THE HEALTH SERVICES BUILDING AND CAMPUS AS A NO SMOKING & TOBACCO PRODUCT FREE ZONE

Ms. Park presented the following:

WHEREAS, the mission of the Wayne County Health Services Building is to enhance and protect the health of Wayne County citizens; and

WHEREAS, tobacco use is the number one preventable cause of death in the United States; and

WHEREAS, Title 14 of New York Codes Rules and Regulations, Part 856, requires that programs operated under the licensure of the New York State Office of Alcoholism and Substance Abuse Services (OASAS) "establish tobacco-free services in a tobacco-free environment" effective by 12:01AM July 24, 2008; and

WHEREAS, such programming is provided by the Wayne County – Wayne Behavioral Health Network, at the Health Services Building; now, therefore, be it

RESOLVED, the Health Services Building and the surrounding campus, including the parking areas and green spaces, will become tobacco-free, meaning all tobacco products are prohibited including the introduction, presence and use of all tobacco products; and be it further

RESOLVED, that all personnel and contractors working in the Health Services Building & Campus, and all clients and visitors of the Health Services Building & Campus are "prohibited from using tobacco products" in the building or on the campus; and be it further

RESOLVED, as required by New York State regulations and defined by Title 14 of the New York Codes Rules and Regulations, Part 856, the tobacco-free environment at the Health Services Building and its campus shall take effect 12:01AM, July 24, 2008; and be it further

RESOLVED, that Wayne County will commence a review of its current Smoking Policy and will monitor and evaluate the implementation of the No Smoking and Tobacco Free Zone for possible extension of the zone to all county buildings.

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

RESOLUTION NO. 414-08: AUTHORIZATION TO WAYNE BEHAVIORAL HEALTH NETWORK TO EXECUTE CONTRACT WITH JOHN MARINO, MD TO PROVIDE PSYCHIATRIC MEDICAL SERVICES

Ms. Park presented the following:

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

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

WHEREAS, Wayne Behavioral Health Network is in need of additional essential psychiatric medical staff services for our children & adolescent clinic services due to the resignation of one of our contracted providers; and

WHEREAS, Dr. Marino is a NYS Licensed Psychiatrist and can provide such services as needed; now therefore be it

RESOLVED that the Chairman of the Wayne County Board of Supervisors is hereby authorized 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 John Marino, MD, NYS Licensed Psychiatrist, at the rate of \$130.00/hour for the period of July 1, 2008 thru Dec. 31, 2008, at a total cost not to exceed budgeted funds for said contractual services.

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

RESOLUTION NO. 415-08: AUTHORIZATION TO ADVERTISE FOR BIDS FOR FOOD MANAGEMENT SERVICES FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, Wayne County Nursing Home has an agreement with Sodexo Operations, LLC for the provision of food service management; and

WHEREAS, the contract with Sodexo Operations, LLC expires on December 31, 2008; and

WHEREAS, the Board of Supervisors must advertise for bids for Food Management Services for the Wayne County Nursing Home; now, therefore, be it

RESOLVED, the Clerk of the Board of Supervisors is authorized and directed to advertise for bids for Food Management Service for the Wayne County Nursing Home, in accordance with specifications prepared by Wayne County Nursing Home Administrator and County Administrator, and approved by the County Attorney as to content and form; and

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

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

RESOLUTION NO. 416-08: AUTHORIZING THE COUNTY ADMINISTRATOR TO ABOLISH THE COORDINATOR OF VOLUNTEER SERVICES POSITION AND CREATE A NEW ACTIVITY AIDE POSITION

Ms. Park presented the following:

WHEREAS, a vacancy due to retirement is expected with the Coordinator of Volunteer Services position; and

WHEREAS, it has been determined that an Activity Aide position would be more beneficial to the residents of the Wayne County Nursing Home; and

WHEREAS, the duties of the Coordinator of Volunteer Services position will be assigned to the Activity Director; and

WHEREAS, it will be cost-saving to replace the current position of Coordinator of Volunteer Services at a salary of \$33,510 annually for an Activity Aide position at an annual salary of \$28,224; now, therefore, be it

RESOLVED, that the Coordinator of Volunteer Services position is abolished effective June 27, 2008; and be it further

RESOLVED, that one additional Activity Aide position is authorized effective June 28, 2008.

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

RESOLUTION NO. 417-08: AUTHORIZATION TO RENT BILLBOARD SPACE FROM LAMAR ADVERTISING TO ADVERTISE FOR LEAD AWARENESS MONTH IN OCTOBER 2008

Ms. Park presented the following:

WHEREAS, there has been money budgeted for the rental of space for the advertising of education messages for the Childhood Lead Poisoning Prevention Program (CLPPP) during Lead Awareness month in October; and

WHEREAS, the cost of this project will include rental of a minimum of two billboard spaces for a minimum of thirty days, space and poster production charges; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to purchase billboard space and posters from LaMar Advertising for CLPPP advertising at a cost not to exceed \$1500.

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

RESOLUTION NO. 418-08: AUTHORIZATION TO CONTRACT WITH NORMAL COMMUNICATIONS FOR FOUR-MONTH TRANSIT (WATS BUS) ADVERTISING

CAMPAIGN FOR THE LEAD POISONING PREVENTION GRANT

Ms. Park presented the following:

WHEREAS, there has been money budgeted for the advertising of educational messages and testing for the Childhood Lead Poisoning Prevention Program per the grant; and

WHEREAS, the cost for advertising for four months which will include production charges and design fees not to exceed \$9,068 for the months of August 1 – November 30, 2008 now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract with Normal Communications subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 419-08: AUTHORIZATION TO ATTEND EASTERN REGION CHILD PASSENGER SAFETY TECHNICAL CONFERENCE IN ATLANTIC CITY, NEW JERSEY

Ms. Park presented the following:

WHEREAS, Wayne County Public Health has a contract with the Governor's Traffic Safety Committee, and has for the past 15 years; and

WHEREAS, the purpose of the program is to provide fitting stations to inspect car seats; coordinate major child safety seat check events and to continue the low income safety seat distribution program in Wayne County, all of which is a community service at no cost to the parent or caregiver; and

WHEREAS, these events require that our Child Passenger Safety (CPS) Technicians have a current certification status and that they recertify every two years; and

WHEREAS, the cost of conference attendance is included in the grant funding; now, therefore be it

RESOLVED, that the Board of Supervisors hereby authorizes out of state travel for Wayne County Public Health's three CPD Technicians to attend the Eastern Regional Child Passenger Safety Technical Conference in Atlantic City September 24 – 26, 2008, at a cost not to exceed \$1,307.

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

RESOLUTION NO. 420-08: AUTHORIZATION TO AMEND THE BUDGET AND WORK PLAN FOR CHILDREN WITH SPECIAL HEALTH CARE NEEDS RES. NO. 261-08

Ms. Park presented the following:

WHEREAS, in April, 2008, Wayne County Public Health submitted a resolution to renew the Children With Special Health Care Needs program contract number C-021588 for the period October 1, 2008 to September 30, 2009 in the amount of \$21,169; and

WHEREAS, this amount included an optional one-time only \$350 to support families of children with special health care needs and youth and young adults with special needs in program involvement, empowerment or leadership activities over the age spectrum of birth to 21 years; and

WHEREAS, it was determined that the scope of services the agency would be required to fulfill, in addition to the program's current work plan, was not feasible at this time; now, therefore be it

RESOLVED, that the Director of Public Health is hereby authorized to amend the NYS DOH approved budget and work plan in the amount of \$20,819 for the period October 1, 2008 to September 30, 2009.

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

RESOLUTION NO. 421-08: AUTHORIZING CONTRACT RENEWAL WITH BUILDING BLOCKS COMPREHENSIVE SERVICES, INC. FOR CERTIFIED HOME HEALTH AGENCY

(CHHA)

Ms. Park presented the following:

WHEREAS, the County Health Department must contract for Speech Therapy, Physical Therapy and Occupational Therapy for patients in the Certified Home Health Agency (CHHA); and

WHEREAS the following provider employs licensed professionals qualified and competent to provide such services; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a renewed contract with Kelly Bateman d/b/a Building Blocks Comprehensive Services, Inc. on behalf of the County of Wayne and the CHHA, subject to the provider being currently in compliance with the County's insurance requirements and the County Attorney's approval as to form and content for the period 07/01/08 – 06/30/09 at the following rates:

Speech Therapy	\$66.00/one hour visit
Physical Therapy	\$65.00/one hour visit
Occupational Therapy	\$65.00/one hour visit

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

RESOLUTION NO. 422-08: AUTHORIZATION TO AMEND CONTRACT WITH NURSE PRACTITIONER

Ms. Park presented the following:

WHEREAS, Wayne County Public Health wishes to amend its recently renewed contract with Janine Quinlan, Nurse Practitioner, to include a rate increase to \$50 per hour for the provision of nurse practitioner services to the STD/HIV Clinic and to provide in-service education and consultation to the clinical staff upon request, and

WHEREAS, services will be provided for not more than eight hours per week not to exceed \$20,800 per year, now, therefore, be it

RESOLVED, that the Chairman of the Board is hereby authorized to amend the renewed contract with Janine Quinlan, C-NP, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content for the period 3/1/08 to 2/28/09.

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

RESOLUTION NO. 423-08: AUTHORIZATION TO EXECUTE AMENDED AGREEMENT WITH EXCELLUS

Ms. Park presented the following:

WHEREAS, Wayne County Public Health currently has a Facility Service Agreement with Excellus Health Plan, Inc to provide home care services to its membership; and

WHEREAS, Excellus recently submitted a revised Fee Schedule effective August 1, 2008; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to accept the Fee Schedule rates and; be it

RESOLVED, that the Chairman of the Board is hereby authorized and directed to execute the amended agreement with Excellus Health Plan subject to the County Attorney's approval as to form and content.

<u>SERVICE</u>	<u>RATE</u>
Physical Therapy	\$105
Occupational Therapy	\$105
Speech Therapy	\$105
Skilled Nursing	\$115
Social Worker	\$115
Home Health Aide (Per hour)	\$ 36

Home Health Aide (per visit)	\$ 72
Nutritional Therapy	\$105

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

RESOLUTION NO. 424-08: ADOPT LOCAL LAW TO AMEND LOCAL LAW NO. 4-2005 REGARDING THE MORTGAGE RECORDING TAX WITHIN THE COUNTY OF WAYNE

Mrs. Collier presented the following:

WHEREAS, a local law amending Local Law No. 4-2005, entitled "Adoption of Local Law to Impose a Mortgage Recording Tax within the County of Wayne" was presented to the Board of Supervisors on May 20, 2008; and

WHEREAS, a public hearing on the proposed local law was held by the Board of Supervisors on June 17, 2008 at 7:15 pm, in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore, be it

RESOLVED, that said local law is hereby adopted to read as follows:

COUNTY OF WAYNE - STATE OF NEW YORK

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, as follows: A local law amending Local Law No. 4-2005, entitled "Adoption of Local Law to Impose a Mortgage Recording Tax within the County of Wayne".

SECTION 1

Section 1 of Local Law No. 4-2005 entitled "Adoption of Local Law to Impose a Mortgage Recording Tax within the County of Wayne" is hereby amended to read as follows:

Section 1. Imposition of Tax

Pursuant to Chapter 164 of the Laws of 2005, for the period beginning June 17, 2008 and ending June 16, 2011, there is hereby imposed, in the county of Wayne, a tax of \$0.25 for each \$100.00, and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within the county of Wayne and recorded on or after August 1, 2008 and a tax of \$0.25 on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than \$100.00.

SECTION 2

Section 7 of Local Law 04-2005 entitled "Adoption of Local Law to Impose A Mortgage Recording Tax within the County of Wayne" is hereby amended to read as follows:

Section 7. Effective Date

This local law shall take effect on the first day of August 1, 2008, provided a certified copy thereof is mailed by registered or certified mail to the New York State Commissioner of Taxation and Finance at least 30 days prior to such date. Certified copies of this local law shall also be filed with the Wayne County Clerk, the Secretary of State, and the State Comptroller within five days after the date it is duly enacted.

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

RESOLUTION NO. 425-08: AUTHORIZATION TO ESTABLISH MORATORIUM ON CHANGES IN THE TITLE, CLASSIFICATION, OR MID-YEAR PAY GRADE CHANGES OF

MANAGEMENT/CONFIDENTIAL POSITIONS

Mrs. Collier presented the following:

WHEREAS, currently there is no formal grade or classification system within the managerial/confidential employee group; and

WHEREAS, the county is in the processes of hiring a Human Resource Director; and

WHEREAS, a managerial and confidential classification and grade study will be initiated after the hiring of the Human Resources Director; now, therefore, be it

RESOLVED, that the County Administrator and Wayne County Board of Supervisors are hereby authorized to establish a moratorium on changes to the titles and/or classifications and mid-year pay grades of positions included on the management/confidential employees list until such time as the Board adopts a confidential/managerial classification plan.

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

RESOLUTION NO. 426-08: AUTHORIZATION FOR COUNTY ADMINISTRATOR TO ATTEND IJC PUBLIC HEARING

Mrs. Collier presented the following:

WHEREAS, Wayne County resides on the southern shore of Lake Ontario and is thus part of the Lake Ontario Community; and

WHEREAS, in 1963 the International Joint Commission (IJC) approved a plan (Plan1958D) to regulate water levels and flows from Lake Ontario into the St. Lawrence River; and

WHEREAS, the Commission is now considering a new proposed Order of Approval and a new regulation plan to take into account changing interests (water supply, navigation, hydropower, shoreline property, the environment, and recreational boating), the more extreme wet and dry conditions seen since the 1950s plus those likely to occur in the future, and advances in the science and technology for water management; and

WHEREAS, before the IJC makes its final decision on the proposed new order the Commission will consider public comments generated during a 90 day public comment period and seek the concurrence of the two federal governments; and now therefore be it

RESOLVED, that the County Administrator, is hereby authorized to attend the IJC Public Hearing in Kingston, Ontario, Canada on June 24, 2008.

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

RESOLUTION NO. 427-08: AUTHORIZE APPOINTMENT TO CENTRAL NEW YORK REGIONAL MARKET AUTHORITY BOARD OF DIRECTORS

Mr. Spickerman presented the following:

WHEREAS, Mr. Ellis Briggs has resigned from the Central New York Regional Market Authority Board; and

WHEREAS, Wayne County has been asked to appoint another resident to fill the vacancy created by the resignation of Mr. Briggs; now, therefore, be it

RESOLVED, that Michael Madison from the Town of Sodus is appointed to serve as Wayne County's representative on the Central New York Regional Market Authority Board of Directors effective immediately.

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

RESOLUTION NO. 428-08: AUTHORIZE SPONSORSHIP OF APPLICATION TO NEW YORK STATE UNDER THE LOCAL WATERFRONT REVITALIZATION PROGRAM FOR FUNDS TO CONTINUE THE IMPLEMENTATION OF A REGIONAL DOWNTOWN REVITALIZATION PROGRAM

Mr. Spickerman presented the following:

WHEREAS, the Western Erie Canal Heritage Corridor Management Plan, adopted by the New York State Office of Parks, Recreation and Historic Preservation in August 2005, details projects and programs to realize the economic potential of the Western Erie Canal region; and

WHEREAS, the Western Erie Canal Alliance (WECA) was incorporated in March 2006 as a nonprofit organization for the purposes of fostering economic revitalization of communities located within the Western Erie Canal Heritage Corridor Counties of Erie, Monroe, Niagara, Orleans, and Wayne; and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has contracted with WECA to fulfill the responsibilities of Program Coordinator for the Western Erie Canal Main Street Program, which was identified as an implementation strategy in the Western Erie Canal Heritage Corridor Management Plan; and

WHEREAS, the Program Coordinator must initiate, coordinate, and supervise the Western Erie Canal Main Street Program, which utilizes historic preservation as an integral foundation for downtown economic development; and

WHEREAS, the State of New York, through the Environmental Protection Fund (EPF) and the Local Waterfront Revitalization Program (LWRP), has made funding available for a variety of projects, including downtown and hamlet revitalization; and

WHEREAS, only municipalities, defined as a city, county, town, or village are eligible to submit applications for such funding; and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has requested that the County of Wayne, as an eligible municipality, sponsor and submit the 2008-2009 EPF-LWRP grant application; and

WHEREAS, the proposed budget will not exceed \$480,000, of which 50% of the project costs will be borne by the three (3) local Main Street Programs, one in each of Niagara, Orleans, and Wayne counties; now, therefore be it

RESOLVED, that the County of Wayne will sponsor an application for funds, to be known as the *Western Erie Canal Main Street Program*, to be written and submitted by Genesee/Finger Lakes Regional Planning Council, to the New York State Department of State; and be it further

RESOLVED that the Chairman of the Board of Supervisors is hereby authorized to certify that the information contained in the application is true and correct, subject to review and approval by the County Planning Director; and be it further

RESOLVED, that the Chairman is hereby authorized to accept any grant award resulting from the grant application and to execute any and all documents necessary to accept and/or implement the project, subject to approval as to form and content by the County Attorney; and be it further

RESOLVED that the Chairman is hereby authorized to execute an agreement with Genesee/Finger Lakes Regional Planning Council that transfers all responsibility, liability, and cost in administration of the grant to Genesee/Finger Lakes Regional Planning Council, subject to approval as to form and content by the County Attorney; and be it further

RESOLVED, that the preparation, matching requirements, and administration of the grant shall be accomplished at no cost to Wayne County.

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

RESOLUTION NO. 429-08: AUTHORIZATION FOR DIRECTOR OF TOURISM AND PROMOTION TO ATTEND I LOVE NY TRADESHOW

Mr. Spickerman presented the following:

WHEREAS, the New York State Division of Tourism is launching the I LOVE NEW YORK brand at a tradeshow in Toronto on Tuesday, June 10, 2008, for tour operators, travel agents, receptive operators and group travel planners; and

WHEREAS, Finger Lakes Tourism Alliance is purchasing tradeshow space and is seeking staffing which would benefit Wayne County; now, therefore, be it

RESOLVED, that the Director of Wayne County Office of Tourism and Promotion is hereby authorized to attend the I love NY Brand Launch in Toronto on June 10, 2008, at a cost

not to exceed \$70.00.

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

RESOLUTION NO. 430-08: AUTHORIZATION TO PAY DUES TO FINGER LAKES TOURISM ALLIANCE

Mr. Spickerman presented the following:

WHEREAS, in 1977 the Finger Lakes Region was established as one of the eleven distinct geographic vacation regions in New York State; and

WHEREAS, Finger Lakes Tourism Alliance is the regional tourism promotion agent for the Finger Lakes Region; and

WHEREAS, affiliation with Finger Lakes Tourism Alliance is a proven benefit in supporting tourism promotion for Wayne County and furthering our investment in economic development for the county; now, therefore, be it

RESOLVED that the Director of Wayne County Office of Tourism and Promotion is hereby authorized pay \$8,500 for 2008 annual dues.

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

RESOLUTION NO. 431-08: AUTHORIZATION FOR APPRAISAL SERVICES FOR COUNTY PROPERTY LOCATED AT 16 WILLIAM ST.

Mr. LeRoy presented the following:

WHEREAS, the Superintendent of Buildings and Grounds was requested to obtain quotes for an appraisal of the County Office Building located at 16 William St. in the Village of Lyons; and

WHEREAS, the following quotes were received:

Linda Y Yancey, ASA, IAO, CCD
NYS Certified General Appraiser \$1,500.00

Don Dancea
NYS Certified General Appraiser \$4,500.00

D J Sperano, RAA, GAA
NYS Certified General Appraiser \$2,400.00

now, therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to pay Linda Y. Yancey, \$1,500.00 from A16154.54500, upon receipt of the certified appraisal for the County Property located at 16 William St. in the Village of Lyons.

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

RESOLUTION NO. 432-08: AUTHORIZATION TO DECLARE VARIOUS ITEMS SURPLUS AND ADVERTISE FOR PUBLIC TAG SALE FOR SURPLUS DISPOSAL

Mr. LeRoy presented the following:

WHEREAS, the Buildings and Grounds Department has collected all surplus office furniture and all unused items listed as follows:

23-Tables	24-Upholstered Chairs	8-Wall Partitions
8-Wood desks	3-Steel Cabinets	8-Bulletin boards
20-Steel desks	8-Steel Shelves	5-Coat Racks
7+-Desk Wings	1-4 drawer lateral File Cab	1-Podium
47-Chairs	1-Wood Computer Station	3- low profile TV Stands
27-Desk Chairs	17-Training Rm. Tables	1-Magnetic Chalk Board

2-Lamps	hardware, closures,	1-Microwave
1-trash can	hinges, etc.	37 Bathroom Mirrors
2-End tables	6-Steel Doors	6-12' stainless steel sink
1-2 Drawer file Cabinet	162-Wood Doors	countertops
76- Wood Wardrobes	164-Steel Door Frames	Miscellaneous
20"x20" x7'	4- Steel frame Windows	galvanized
Metal Lockers	68-Base Cabinets	Duct work
23-Wall Mount Toilets	39-Wall Cabinets	60" stainless steel range
4-Skids of asst door	3-Large Mirrors	hood

WHEREAS, all items were offered for free to any and all County Departments as well as all Wayne County Towns and Villages; and

WHEREAS, we still have a large amount of both usable and or salvageable items; now, therefore, be it

RESOLVED, that all items shall be declared surplus; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized to advertise for a Public Tag Sale; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to conduct the Public Tag Sale as well as dispose of all scrap Metals and materials to one of the local scrap dealers offering the best price; and be it further

RESOLVED, that all monies collected for said items shall be put into the general fund.

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

RESOLUTION NO. 433-08: AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE INSTALLATION OF ONE (1) CONCRETE BOX CULVERT FOR THE ARCADIA-ZURICH-NORRIS ROAD CULVERT REPLACEMENT PROJECT

Mr. LeRoy presented the following:

WHEREAS, Wayne County is replacing a deteriorated box culvert on the Arcadia-Zurich-Norris Road; and

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to advertise for bids for the installation of one (1) Concrete Box Culvert for the Arcadia-Zurich-Norris Road Culvert Replacement Project (D51122.52602), 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.

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

RESOLUTION NO. 434-08: AUTHORIZATION TO ACCEPT LOW BID FOR THE REHABILITATION OF THE NORTH WAYNEPORT ROAD PROJECT

Mr. LeRoy presented the following:

WHEREAS, this project is being funded with \$100,000 from Wal-Mart, \$100,000 from Lowes, \$100,000 from Wayne County Industrial Development, \$100,000 form local match (Wayne County Water & Sewer Authority/Macedon) and the remainder form Consolidated Local Street & Highway Improvement Program (CHIPS); and

WHEREAS, the construction is being provided by contractor due to the high volume of traffic within the project corridor; and

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for the rehabilitation of the North Wayneport Road Project (D51122.52684) for the County Highway Department, and the bids were open on Monday, June 16, 2008 at 10:00 a.m. and the following bids were received:

Macedon Landscaping, Inc.
1711 North Wayneport Road
Macedon, NY 14502

\$847,100

now, therefore, be it

RESOLVED, that the bid submitted by Macedon Landscaping, Inc. in the amount of \$847,100 in accordance with the specifications, is hereby accepted; and be it further

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

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

RESOLUTION NO. 435-08: AUTHORIZATION TO ACCEPT LOW BID FOR BRIDGE REPLACEMENT FOR THE LEROY ISLAND BRIDGE PROJECT

Mr. LeRoy presented the following:

WHEREAS, this project is funded with 80% Federal Marchiselli, 15% State Marchiselli, and 5% local share (Consolidated Local Street & Highway Improvement Program - CHIPS); and

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for the bridge replacement of the LeRoy Island Bridge Project (D51122.52955) for the County Highway Department, and the bids were open on Wednesday, June 4, 2008 at 11:00 a.m. and the following bids were received:

Tuscarora Construction Pulaski, New York	\$3,133,979.00
Silverline Construction Burdett, New York	\$3,294,424.00
MA Bongiovanni, Inc. Syracuse, New York	\$2,924,552.50
Tioga Construction Herkimer, New York	\$3,336,265.00

now, therefore, be it

RESOLVED, that the bid submitted by MA Bongiovanni, Inc. of Syracuse, New York, in the amount of \$2,924,552.50, in accordance with the specifications, is hereby accepted subject to Barton & Loguidice's approval; and be it further

RESOLVED, that upon notification that additional state (\$150,000) and federal (\$800,000) funds required to completely fund the project are available and committed, 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 MA Bongiovanni, Inc. in accordance with the bid acceptance.

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

RESOLUTION NO. 436-08: AUTHORIZATION TO ENTER AGREEMENT WITH C&S ENGINEERS, INC. FOR THE CONSULTANT SERVICES FOR THE ALDERMAN ROAD BRIDGE OVER GANARGUA CREEK PROJECT

Mr. LeRoy presented the following:

WHEREAS, this project is federally funded and included on the current Transportation Improvement Plan; and

WHEREAS, the scope of work for the Bridge Replacement Project has been reviewed and approved by the New York State Department of Transportation (NYSDOT); and

WHEREAS, the fee of \$267,000 has been negotiated with C&S Engineers, Inc. and approved by the NYSDOT; and now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with C&S Engineers, Inc. for the replacement of the Alderman Road Bridge over Ganargua Creek in the Town of Macedon; and be it further

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

D5112 – ROAD CONSTRUCTION:

Create and establish .52905 Alderman Road Bridge Project at \$267,000

D9999 – OTHER:

Increase .43501 Consolidated Highway Aid by \$53,400.00 (20%)

Increase .44511 Marchiselli Funds - Federal by \$213,600.00 (80%)

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

RESOLUTION NO. 437-08: AUTHORIZING AGREEMENT WITH BAY SHORE, INC AND AMENDING 2008 COUNTY BUDGET FOR THE PAYMENT OF COUNTY SHARE FOR WEED HARVESTING

Mr. LeRoy presented the following:

WHEREAS, Resolution No. 797-07 authorized the County of Wayne to contribute \$44,100.00 in funding contingent on the Towns of Sodus, Wolcott and Huron contributing \$15,000.00 to the Bay-Shore ; and

WHEREAS, the County of Wayne will enter into an agreement with Bay-Shore, Inc. to administer a aquatic weed harvesting program on the four (4) public water bodies identified as Sodus Bay, East bay, Port Bay, Blind Sodus Bay; and

WHEREAS, the County will have to amend the 2008 County Budget to fund the \$44,100.00 county share; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign an agreement, upon review and approval of the County Attorney, with Bay-Shore, Inc. to administer a aquatic weed harvesting program on the four (4) public water bodies identified as Sodus Bay, East bay, Port Bay, Blind Sodus Bay; commencing Memorial Day May 26, 2008 and ending Labor Day September 1, 2008, for an amount of \$44,100.00; and further

RESOLVED, that the County is authorized to make payment to the Bay-Shore, Inc. per the terms and conditions of the agreement; and further

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

A8730 SOIL CONSERVATION:

\$44,100.00 to .54496 Weed Harvesting Department

A1990 CONTINGENT FUND GENERAL:

\$44,100.00 from .54000 Contractual Expense

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

RESOLUTION NO. 438-08: URGING THE STATE OF NEW YORK TO FUND PICTOMETRY UPDATES

Mrs. Bender presented the following:

WHEREAS, Wayne County 911, using Expedited Deployment grant funds, previously purchased the Pictometry system, a system that includes special operational software and a

complete library of digital aerial photographs of all areas of Wayne County; and

WHEREAS, the contract with Pictometry International allows the County to distribute the image library and operational software to "authorized subdivisions" within the county, which include all Towns and Villages, and

WHEREAS, the Pictometry system has proven to be of significant value to 911, and has proven very useful to the Towns and Villages to which it has been distributed; and

WHEREAS, the digital photographs currently in use were taken in 2006, leading to a problem of increasing obsolescence; and

WHEREAS, in 2007, Pictometry generated a quote for Wayne County to completely "re-shoot" the county, using the template previously specified, at a cost of \$133,978; now, therefore, be it

RESOLVED, that the County of Wayne, on behalf of the many Towns and Villages in the county that use the Pictometry system, strongly urges the State of New York to consider funding a statewide implementation of the Pictometry system, with funding for re-imaging of all areas on a regular basis, to allow the many current users to achieve a means of securing regular image updates; and be it further

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to send a letter to Michael Balboni, the Deputy Secretary of the New York State Office of Public Safety, Department of Homeland Security expressing the County's desire for assistance with this program from the State of New York.

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

RESOLUTION NO. 439-08: AUTHORIZATION FOR E911 COORDINATOR AND TECH COORDINATOR TO ATTEND CAD USERS CONFERENCE

Mrs. Bender presented the following:

WHEREAS, Logistic Systems, the computer aided dispatch (CAD) vendor used by 911 since 1997 is holding its users group annual conference in Wilkes-Barre, Pennsylvania; and WHEREAS, scheduled conference agenda items and training sessions that are available would otherwise only be available on site at Logistic Systems system administrator training in Missoula, Montana; and

WHEREAS, the newly hired 911 Technology Coordinator is in need of receiving any specialized training related to the existing 911 CAD system that becomes available; now, therefore, be it

RESOLVED, that the Wayne County 911 Coordinator, and 911 Technology Coordinator, shall be authorized to attend the Logistic Systems 2008 Users Conference to be held in Wilkes-Barre, PA on July 22 & 23, 2008, at a total cost not to exceed \$1,591.

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

RESOLUTION NO. 440-08: AUTHORIZATION TO SURPLUS A VEHICLE FOR THE WAYNE COUNTY SHERIFF'S OFFICE

Mrs. Bender presented the following:

WHEREAS, the following vehicle is no long of use by the Wayne County Sheriff's Office: 1993 Chevrolet Van VIN: 1GCFG35K5PF356260 MILEAGE: 61,356

RESOLVED, that the vehicle listed above is hereby declared surplus and moved to Central Garage in accordance with the surplus Vehicle Disposition Procedure outlined in Resolution No. 357-91.

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

RESOLUTION NO. 441-08: AUTHORIZATION TO EXECUTE A SECURITY SERVICES AGREEMENT BETWEEN NEW YORK STATE UNIFIED COURT SYSTEM (UCS) AND WAYNE COUNTY

Mrs. Bender presented the following:

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

WHEREAS, UCS has submitted a Security Services Agreement for a five year period beginning April 1, 2008 and ending March 31, 2009, establishing a maximum reimbursable amount of \$590,610 for the period of April 1, 2008 through March 31, 2009; now, therefore, be it

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

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

RESOLUTION NO. 442-08: AUTHORIZATION TO APPLY FOR PROSECUTION GRANT FOR DISTRICT ATTORNEY'S OFFICE WITH THE NYS DIVISION OF CRIMINAL JUSTICE SERVICES

Mrs. Bender presented the following:

RESOLVED, that the District Attorney is hereby authorized to apply for a \$39,503 Aid to Prosecution Grant with no County matching funds for the period 4/1/08-9/15/09; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute all necessary documents to implement the grant for the period 4/01/08 – 9/15/09 on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the New York State Division of Criminal Justice Services.

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

RESOLUTION NO. 443-08: AUTHORIZATION TO PARTICIPATE IN COMMERCIAL EQUIPMENT DIRECT ASSISTANCE PROGRAM

Mrs. Bender presented the following:

WHEREAS the federal government Commercial Equipment Direct Assistance Program (CEDAP) helps meet the equipment needs of smaller jurisdictions by providing communications interoperability, information sharing, chemical detection, sensors, personal protective equipment, technology, and training in using the equipment, devices, and technology; and

WHEREAS, Awards are made to law enforcement and emergency responder agencies not currently eligible for funding through the Department's Urban Areas Security Initiative grant program; and

WHEREAS, Wayne County Emergency Management is desirous to apply to receive equipment to support its mission; and

WHEREAS, there is no direct or indirect cost to the county for the acquisition of this equipment and associated training; now, therefore, be it

RESOLVED, to authorize the Director of Emergency Management to apply for such direct assistance, subject to approval of the County Administrator.

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

RESOLUTION NO. 444-08: AUTHORIZATION TO TRANSFER FUNDS FOR EMERGENCY MANAGEMENT DEPARTMENT

Mrs. Bender presented the following:

WHEREAS, the Accident Assessment Officer (previously titled Radiological / Chemical Officer) backs up the Radiological/HazMat Officer for 2nd shift and extended shift operations;

and

WHEREAS, most of the EOC staff positions require training development and delivery;

and

WHEREAS, the Radiological/HazMat Officer has not been able to develop and deliver this training because of additional state and federally mandated activities that consume his available time; and

WHEREAS, the Accident Assessment Officer will be able to develop and deliver radiological emergency response (transportation accidents, dirty bomb, terrorism) to Law Enforcement and other county departments, as required; now, therefore, be it

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

A3640 - Emergency Management Office

\$2500.00 to 51299 (Radiological/Chemical Officer)

\$192.00 to 58200 (Payments to Social Security)

\$2692.00 from 54126 (Field Supplies)

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

RESOLUTION NO. 445-08: PURCHASE COMPUTER EQUIPMENT AND TRANSFER FUNDS FOR EMERGENCY MANAGEMENT DEPARTMENT

Mrs. Bender presented the following:

WHEREAS, the laptop currently being used by the Emergency Management Office's full time Radiological/Hazardous Materials Officer has a hard drive that is failing; and

WHEREAS, the desktop computer used by the department's Training Officer is a Pentium III and is experiencing compatability problems with USB and other devices; and

WHEREAS, the Training Officer uses the PowerPoint and other graphics programs on a day-to-day basis; and

WHEREAS, the laptop computer used by the Director only has a 14" screen and it is desirable to purchase a 19" flat panel screen for the spreadsheet programs that are utilized for the Director's laptop; now, therefore, be it

RESOLVED, that the 2008 County Budget is hereby amended as follows:

A3640-EMERGENCY MANAGEMENT OFFICE

\$2,384.00 from Account number 3640.54126 to Account number 3640.52201; and be it further

RESOLVED, that a new laptop, docking station, external monitor, keyboard, and printer be purchased for the Radiological/HazMat Officer; and be it further

RESOLVED, that a new desktop computer be purchased for the Training Officer; and be it further

RESOLVED, that a new monitor be purchased for the Director.

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

RESOLUTION NO. 446-08 AUTHORIZATION TO PURCHASE CRISIS INFORMATION MANAGEMENT SOFTWARE (CIMS) AND ASSOCIATED SERVERS

Mrs. Bender presented the following:

WHEREAS Resolution No. 624-07 authorized the execution of a grant application to purchase a Crisis Information Management System (CIMS); and

WHEREAS Resolution No. 310-8 authorized the RFP for CIMS; and

WHEREAS, the proposal from Emergency Services Integrators to supply crisis management software for Wayne County Emergency Management is the only proposal that meets the proposal specification; and

WHEREAS, two servers (a web server and a database server) and associated server support software (available through state bid pricing) are a necessary part of said CIMS; and

WHEREAS, the purchase of the CIMS, servers and associated software is 100%

reimbursable through grant funding; now, therefore, be it

RESOLVED, that after review by the County Attorney, the Chairman is authorized to sign a contract with Emergency Services Integrators for CIMS at a cost to not exceed \$117,700.00; and be it further

RESOLVED, that Wayne County Information Technology is authorized to purchase the associated servers with software as required for CIMS for Wayne County Emergency Management at a cost not to exceed \$16,600.00, and be it further

RESOLVED that the 2008 County Budget is amended as follows:

A3640-EMERGENCY MANAGEMENT OFFICE

\$ 16,600.00 to .52201 Computer Equipment

\$117,700.00 to .54475 Software

\$134,300.00 to .44306 Homeland Security

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

RESOLUTION NO. 447-08: AUTHORIZE TITLE CHANGE FROM SECRETARY TO THE PUBLIC DEFENDER TO ADMINISTRATIVE LEGAL ASSISTANT

Mrs. Bender presented the following:

WHEREAS, the duties and responsibilities of the position of Secretary to the Public Defender have been reviewed by the Interim Personnel Officer and State Civil Services; and

WHEREAS, due to the increased administrative responsibilities, the title of Secretary to the Public Defender should be re-titled to Administrative Legal Assistant (Public Defender); now, therefore, be it

RESOLVED, that the title of Secretary to the Public Defender be abolished and the title of Administrative Legal Assistant (Public Defender) be created in the same civil service classification exempt; and be it further

RESOLVED, that that the Public Defender is hereby allow to fill the position at the same rate of pay as the Secretary to the Public Defender.

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

Mr. Lyon moved to postpone this resolution indefinitely, seconded by Mr. Plant.

There was some discussion regarding this resolution being in conflict to the adoption of Resolution No. 425-08 that established the Moratorium on changes in title classifications of management/ confidential positions.

Upon roll call, all Supervisors voted Aye, except Supervisors Colacino, Groat, Hammond and Lauderdale who voted Nay. Absent – Mr. Kelsch. The Chairman declared the resolution postponed indefinitely.

RESOLUTION NO. 448-08: TRANSFER OF FUNDS FOR VARIOUS COUNTY DEPARTMENTS

Mr. Lyon presented the following:

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

MS1710-ADMINISTRATIVE FEES:

\$ 111,785.00 to .54000 Contractual Expenses

\$ 12,615.00 to .54300 Insurance

\$ 2,000.00 to .54506 Attorneys

\$2,940,640.00 to .58400 Hospitalization Expense

MS9060-HOSPITAL & MEDICAL INSURANCE:

\$ 36,739.00 from .41616 Self Pays

\$ 5,000.00 to .42401 Interest Earnings
 \$ 15,000.00 to .42680 Insurance Recoveries
 \$ 470,675.00 to .42709 Employee Contributions
 \$ 162,750.00 from .42710 Town/Village Contributions
 \$2,775,854.00 to .42801 Interfund Revenues

A4010 – PUBLIC HEALTH:

Increase expense 40114.54573 Lead Ed, by \$3,870
 Increase revenue 40110.43408 Lead Ed, by \$1,835
 Increase revenue 40110.44633 Lead grant, by \$2,035

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

RESOLUTION NO. 449-08: AUTHORIZATION TO PURCHASE EQUIPMENT AND FURNISHINGS FOR CERTAIN COUNTY DEPARTMENTS

Mr. Lyon presented the following:

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

Sheriff

8000480 1 – HON Legal Size Filing Cabinet \$310.24

Dept. of Social Services

8000483 1 - Chair - Hon HN-3307BW19T \$265.85
 8000484 1 - Rubbermaid Flat Shelf Utility Cart \$186.50

Clerk of the Board

0800000 1 – Chair \$150.00

Aging and Youth

0800504 1,000 - Emergency Medical Cards with holders \$621.00

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

RESOLUTION NO. 450-08: DECLARE EQUIPMENT SURPLUS FOR VARIOUS COUNTY DEPARTMENTS

Mr. Lyon presented the following:

RESOLVED, that the following equipment no longer of use to the County of Wayne departments listed below, is hereby declared surplus and the Director of Information Technology and/or the Superintendent of Buildings and Grounds is hereby authorized to dispose of the items in accordance with County policy:

Public Health

1 - HP Laser Jet 4P Printer, SN# USCB228026 (1994)
 1 - HP Business Ink Jet Printer/2800 TN, SN# MY2ACF14KX
 1 - Silver Reed Typewriter EX55 SN# 85153149

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

RESOLUTION NO. 451-08: AUTHORIZATION TO SELL CERTAIN REAL PROPERTY PARCELS ACQUIRED BY THE COUNTY FOR DELINQUENT TAXES TO ADJOINING LAND OWNERS

Mr. Lyon presented the following:

WHEREAS, pursuant to the provisions of Article Eleven (11) of the Real Property Tax Law

of the State of New York pertaining to the enforcement of the collection of delinquent taxes, the County of Wayne has or will acquire title to the real property as shown on Appendix A (attached hereto and incorporated herein by reference) and is entitled to acquire title by Court Order to the properties from 2006 listed on Appendix A; and

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

WHEREAS, pursuant to Resolution No. 314-07, the County Treasurer was authorized and directed to convey title to the County of Wayne for the properties listed on Appendix A which are not redeemed for the year 2006 as of the close of business on June 15, 2007; and

WHEREAS, Resolution No. 314-07 authorized the properties shown on Appendix A to be offered and sold at the public auction sale; and

WHEREAS, upon further review, the Real Property Tax Director has recommended that certain properties included in Schedule A because of their size and/or location, be offered for sale to adjoining landowners rather than sold at the Public Auction; now, therefore, be it

RESOLVED, that the Director of the Real Property Tax Office is hereby authorized to offer for sale the following properties to adjoining land owners:

SEQ #	VILLAGE/TOWN	TAX ID #	LOCATION
500316X	V. OF CLYDE/T. OF GALEN	74112-09-106731	Wayne Avenue
600809	TOWN OF MARION	66115-00-035279	Route 21
600823	TOWN OF MARION	66114-05-050891	N Main Street
600825	TOWN OF MARION	66115-00-054016	E Williamson Road
601160	TOWN OF SAVANNAH	77111-06-418757	Seneca Street
601330	TOWN OF SODUS	68118-00-386183	6705 Pratt Road
601394	TOWN OF SODUS	70117-15-597350	S Geneva Road
601589	TOWN OF WILLIAMSON	66117-08-999795	Ridge Road
601646	V. OF WOLCOTT/T. OF WOL	75117-15-664375	Leavenworth Ave
501657X	V. OF WOLCOTT/T. OF WOL	75117-15-711499	11903 Smith Street

and be it further

RESOLVED, that the Director of the Real Property Tax Office is hereby authorized and directed to mail bid requests to all appropriate land owners and charge the mailing and related expenses to Account No. A1364.54000 (Expenses for Property Acquired for In Rem Purposes); and be it further

RESOLVED, that the above listed properties shall be offered and sold subject to the following terms and conditions of Sale:

1. The property offered for sale has been acquired by the County of Wayne (hereinafter referred to as the "County") by Court Order pursuant to the provisions of Title 3 of Article 11 of the Real Property Tax Law of the State of New York.
2. Former owners will not be allowed to bid on their properties.
3. All bids are subject to approval and acceptance by the Wayne County Board of Supervisors. The County reserves the right to sell to the second highest bidder if the purchaser defaults, or has outstanding real property taxes.
4. The Board of Supervisors reserves the right to accept or reject any or all bids or to withdraw any parcel from the sale at any time prior to delivery of the deed to the purchaser.
5. The property will be conveyed by the County to the purchaser by quit-claim deed.
6. The County will not furnish an abstract of title or an instrument survey map.
7. The County does not make any representations or warranties, expressed or implied, (a) concerning the quality or the condition of the title to the property, or the validity or marketability of such title; the ownership of any improvements on the property; the condition of the property and any improvements thereon or its fitness for any use; or the accuracy of the property description on the tax roll or in the notice of sale or any other

advertisement of sale furnished by the County; or (b) that the property or any improvements thereon presently comply with building or zoning codes, or with any state or local laws or regulations. Any information concerning the property furnished by the County or any of its officers, employees, or agents shall not be deemed to include any such representations or warranties. Any promotional tools such as photographic slides, tax maps, written or verbal descriptions, etc. are for informational purposes only.

8. The purchaser shall accept the property and any improvements thereon in "as is" condition with the understanding that the County makes no representation as to ownership or responsibility for any personal property located on the real property.
 9. The sale of the property is made subject to (a) village, town, state and federal claims for taxes, liens or other encumbrances, and (b) all easements or rights-of-way which were in existence at the time of the levy of the tax the non-payment of which resulted in the tax deed to the County.
 10. The County will convey the property free and clear of tax liens accrued on or before June 2, 2008.
 11. The purchaser will pay all of the following taxes and charges, including all interest and penalties if applicable if they have not been paid:
 - 2008 School Tax
 - 2009 Town Tax & County Tax which may include relieved village or school taxes- INCLUDING ANY APPLICABLE INTEREST AND PENALTIES
- In order to avoid future delinquent charges, the new owner should immediately advise all tax collectors of the new ownership, and the address where future tax bills are to be mailed.
12. The Bidder shall submit full payment by certified check or money order, immediately at time of bid submission for any bids in the amount of \$1,000 or less.
 13. Regarding any bids for more than \$1,000, the bidder shall submit the amount of \$1,000 plus 10% of the bid amount over \$1,000 upon the bid submission by certified check or money order.
 14. The purchaser's bid will be submitted to the Board of Supervisors on August 21, 2008. It shall be the purchaser's responsibility to contact the County Real Property Tax Service Agency (946-5916) on or after AUGUST 21, 2008 to determine whether the bid was accepted or rejected by the Board of Supervisors.
 15. The purchaser must pay the balance of the purchase price (paid in cash or by certified check, bank check or money order payable to the Wayne County Treasurer) together with the necessary recording taxes and fees (paid in cash or check payable to the Wayne County Clerk) to the County Attorney's Office not later than September 14, 2008 by 3:00 p.m. Upon receipt of such payments, the deed will be recorded in the County Clerk's Office and mailed to the purchaser upon completion of the recording process. If the purchaser fails to make such payments on or before SEPTEMBER 14, 2008, the sale shall be deemed cancelled, the County shall not be obligated to convey the property to the purchaser, and the purchaser's deposit shall be retained by the County as liquidated damages.

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

RESOLUTION NO. 452-08: 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:

Wal-Mart Stores, Inc.	\$ 452.38
Community Bank	16.13
West Union Street Associates	11.88

Town of Ontario:	
Orchard Grove Trailer Park	\$ 212.58
Ames Plaza	1,250.00

now, therefore, be it

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

\$1,942.97 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 No. 444-95 from Account No. A1355.4506 (Attorneys).

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

RESOLUTION NO. 453-08: AUTHORIZING SALE OF PROPERTY IDENTIFIED AS T.M. # 69118-17-084047, T.M. # 69118-17-100160 & T.M. # 69118-17-094187, TO THE TOWN OF SODUS

Mr. Lyon presented the following:

WHEREAS, the County of Wayne acquired title by tax deed, to the properties located on Rotterdam Avenue which consist of approximately 32 acres in the Town of Sodus, Tax Map #69118-17-084047, Tax Map # 69118-17-100160 & Tax Map # 69118-17-094187; and

WHEREAS, the Town of Sodus desires to acquire said property from the County of Wayne; now, therefore, be

RESOLVED, that the County of Wayne is hereby authorized to transfer title to the Town of Sodus for property located on Rotterdam Avenue in the Town of Sodus, Tax Map #69118-17-084047, Tax Map # 69118-17-100160 & Tax Map # 69118-17-094187, contingent upon the Town of Sodus paying all back taxes, including any interest and penalties; and be it further

RESOLVED, the transfer of said property to the Town of Sodus, is hereby approved and the Chairman of the Board of Supervisor, on behalf of the County, is hereby authorized and directed to execute all documents related to said sale, subject to the County Attorney's approval as to form and content and to deliver a quit-claim deed for the property in accordance with the terms and conditions of sale.

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

RESOLUTION NO. 454-08: AUTHORIZATION OF PAYMENT FOR MEDICAL EXPENSES FOR A PASSENGER IN AN AUTOMOBILE ACCIDENT

Mr. Lyon presented the following:

WHEREAS, a Wayne County vehicle was involved in an accident on December 5, 2007; and

WHEREAS, Quatavia Whitfield was a passenger in said vehicle; and

WHEREAS, Wayne County is self-insured for no fault expenses incurred by Ms. Whitfield; and

WHEREAS, Ms. Whitfield has incurred medical expenses in the amount of One Thousand Five Hundred Fifty Four and 21/100 (\$1,554.21); now therefore be it

RESOLVED, that the Wayne County Treasurer is hereby authorized to issue a check to ViaHealth in the amount of One Thousand Five Hundred Fifty Four and 21/100 (\$1,554.21) from Account No. 19304 54000 (Judgment & Claims).

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

call, adopted.

RESOLUTION NO. 455-08: AUTHORIZATION TO ACCEPT SETTLEMENT FOR MVA IN DECEMBER 2007

Mr. Lyon presented the following:

WHEREAS, a Department of Social Services vehicle (a 2003 Crown Victoria) was involved in an accident on December 5, 2007 in the Village of Newark; and

WHEREAS, this vehicle has been repaired, the cost of repair being Two Thousand Five Hundred Forty and 00/100 Dollars (\$2,540.00); 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 Two Thousand Five Hundred Forty and 00/100 Dollars.

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

RESOLUTION NO. 456-08: AUTHORIZE TO EXECUTE AN AGREEMENT WITH BOYLAN, BROWN, CODE, VIGDOR & WILSON, LLP FOR OUTSIDE COUNSEL

Mr. Lyon presented the following:

WHEREAS, Resolution No. 671-07 authorized request for proposals for outside counsel; and

WHEREAS, the Finance Committee has reviewed the said responses and has decided to enter into an agreement with Boylan, Brown, Code, Vigdor & Wilson, LLP to provide outside legal services at One Hundred Eighty-Five and 00/100 Dollars (\$185.00) per hour for attorneys, and One Hundred and 00/100 Dollars (\$100.00) per hour for paralegals; and

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement with Boylan, Brown, Code, Vigdor & Wilson, LLP subject to the approval by the County Attorney, to provide services consisting of outside counsel at a rate of \$185 per hour for attorneys, and \$100 per hour for paralegals.

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

RESOLUTION NO. 457-08: AUTHORIZATION TO APPOINT DIRECTOR OF INFORMATION TECHNOLOGY

Mr. Lyon presented the following:

WHEREAS, Deborah George was appointed to the position of Deputy Director of Information Technology to assist with the MUNIS project implementation and in anticipation that the Director of Information Technology may retire; and

WHEREAS, Paul Voit, Director of Information Technology will retire on June 12, 2008; and

WHEREAS, it is prudent for Wayne County to have a seamless transition to lead the Department of Information Technology; now, therefore, be it

RESOLVED, that Deborah George is hereby appointed to the position of Director of Information Technology, on a provisional basis, pending the civil services examination, at an annual salary of \$75,000.

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

On behalf of the board, Chairman Hoffman took this time to congratulate Deborah George on her appointment to the position of Director of Information Technology.

Mr. James Marquette, County Administrator, addressed the Board to give a presentation on the proposed resolution regarding the ratification of the collective bargaining agreement with

the Sheriff's Police Officers' Association. Daniel Wyner, County Attorney; Sheriff Richard Piscioti and Keith Kubasik, Fiscal Manager also participated in this informative presentation.

RESOLUTION NO. 458-08: AUTHORIZE THE RATIFICATION OF THE 2008-2010 COLLECTIVE BARGAINING AGREEMENT WITH THE SHERIFF'S POLICE OFFICERS' ASSOCIATION

Mr. Lyon presented the following:

WHEREAS, Wayne County ("the County") and the Wayne County Sheriff's Police Officers' Association ("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, 2008 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. Spickerman moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, all Supervisors voted Aye. Absent – Supervisor Kelsch. The Chairman declared the Resolution adopted.

RESOLUTION NO. 459-08: AUDIT OF CLAIMS – JUNE 17, 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:

		Credit Adjustment	Adjustment totals
1. A Fund	\$ 2,077,156.09 +	579.92	\$ 2,077,736.01
2. D Fund	\$ 566,009.09		
3. DM Fund	\$ 83,863.59		
4. E Fund	\$ 305,232.62		
5. H Fund	\$ 21,997.37		
7. S Fund	\$ 1,437.50		
6. TE Fund	<u>\$ 1,326.55</u>		
Warrant Total	\$ 3,057,022.81		<u>\$ 3,057,602.73</u>

and be it further

RESOLVED, that the following utilities totaling \$102,440.49, processed pursuant to Resolution No. 176-78, are hereby ratified:

1. A Fund	\$ 67,136.54
2. DM Fund	\$ 4,037.24
3. E Fund	<u>\$ 9,313.08</u>
Utility Total	\$ 102,440.49

and be it further

RESOLVED, that miscellaneous disbursement checks were processed for the following County Departments, totaling \$84,989.88, are hereby ratified:

1. Nursing Home	\$ 85,071.05
2. Sheriff's Office	\$ 482.35
3. Social Services	\$ 2,497.10
4. Wayne Behavioral Health	\$ 536.90

5. Fire Coordinator	\$	<u>1,400.00</u>
Misc. Disbursement Total	\$	89,987.40

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

Mr. Groat addressed the board regarding his intentions of attending the next caucus prior to July's scheduled board meeting. He stated that he planned on attending the next caucus unless notified in writing from the County Attorney as to the reasons he could not.

ADJOURNMENT:

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

Mr. Lauderdale moved, seconded by Mr. Fabino, that the board adjourn at 8:12 p.m. Carried.

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