

13th Day  
Tuesday, September 16, 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 Supervisors Kelsch and Lyon who were absent.

County Administrator James Marquette and County Attorney Daniel Wyner were also present.

**APPROVAL OF MINUTES:**

Mr. LeRoy moved, seconded by Mr. Fabino, 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:**

<b>Committee No. 1</b>	<b>Finance</b>	
A13252	Treasurer	510.00
A13254	Treasurer	28,785.98
A13554	Assessment - Real Property Tax	5,373.13
A16802	Information Technology	31,817.94
A16804	Information Technology	30,506.99
A19104	Unallocated Insurance	45.10
A19304	Judgments & Claims	21,750.29
A19314	Liability & Casualty Reserve	9,100.00
A24904	Community College	22,076.40
H19082	FMS System Update	500.00
H19332	Building Renovation Project	3,199.79
H19352	Enhance911 Emergency Telephone	303.88
H19392	Route 31 Complex	<u>100,498.63</u>
	<b>\$ 254,468.13</b>	
<b>Committee No. 2</b>	<b>Public Safety</b>	
A11652	District Attorney	2,151.89
A11674	Crime Victims Board Grant	263.50
A11702	Public Defender	8,703.42
A11724	Legal Defense of Indigents	59,163.86
A11734	Wayne Pre-Trial Services, Inc.	8,869.92
A11854	Coroner	8,097.80
A11904	Grand Jury	894.07
A31104	Sheriff	10,629.05
A31114	Sheriff – Recreational	2,279.91
A31124	Sheriff - Civil Office	44.71
A31134	Sheriff - Juvenile Office	1,789.85
A31144	Sheriff - Road Patrol	31,411.65
A31144	Sheriff - Road Patrol	4,157.92
A31152	Sheriff - Detective Unit	8,941.05
A31154	Sheriff - Detective Unit	2,304.80
A31164	Sheriff - Court Security	1,266.05
A31404	Probation	4,921.25
A31502	Sheriff – Jail	8,650.00
A31504	Sheriff – Jail	38,785.93
A33154	Stop DWI	1,003.72

A34104	Mutual Aid (Fire Coordinator)	2,507.33
A36404	Emergency Management Office	13,820.01
A36404	Emergency Management Office	932.32
A36424	E911 Communications	7,661.43
A36444	ALS Services	<u>6,973.71</u>
	<b>\$236,225.15</b>	
<b>Committee No. 3</b>	<b>Public Works</b>	
A16154	Buildings & Grounds	95.00
A16154	Buildings & Grounds	37,698.73
A16404	Central Garage	5,688.90
A87304	Soil Conservation	23,473.07
D50104	Highway Administration	944.50
D50202	Highway Engineering	57.94
D51104	Maintenance of Roads & Bridges	31,772.58
D51114	Road Striping and Sign Maint	168.00
D51114	Road Striping and Sign Maint	3,143.69
D51122	Road Construction	1,438,012.11
DM51302	Road Machinery	123,490.00
DM51304	Road Machinery	<u>148,386.91</u>
	<b>1,812,931.43</b>	
<b>Committee No. 4</b>	<b>Economic Development &amp; Planning</b>	
A63264	Economic Development Admin	16,199.00
A64104	Publicity (Tourism)	1,697.17
A64114	Tourism Matching Funds Program	3,874.71
A80204	Planning Board	23,707.46
H19582	Fairgrounds Livestock Barn	<u>37,591.20</u>
	<b>\$ 83,069.54</b>	
<b>Committee No. 5</b>	<b>Government Operations</b>	
A10102	Legislative Board	2,599.03
A10404	Clerk Legislative Board	171.81
A12304	County Administration	996.51
A14104	County Clerk	20,539.25
A14104	County Clerk	531.56
A14204	County Attorney	3,801.89
A14304	Personnel Department	191.26
A14314	Cafeteria Plan	676.20
A14504	Board of Elections	10,126.47
A16714	Printing Department	5,100.92
A16724	Court House Xerox	338.71
A75104	County Historian	798.00
MS17104	Administrative Fees	4,608.00
S17104	Workers Comp	<u>21,543.00</u>
	<b>\$ 72,022.61</b>	
<b>Committee No. 6</b>	<b>Health &amp; Medical Services</b>	
A40102	Public Health	4,655.63
A40112	Public Health Service	37,877.46
A40162	PH - Early Intervention 0-1	144,299.45
A40174	PH - Child w/Spec Needs 3-5	327,875.81
A40182	Public Health Education	4,441.37
A40194	Wayne Community Nursing Care	36,710.09
A40204	PH - EMS Coordinator	295.42
A43004	Behavioral Health	16,605.00
A43004	Behavioral Health	105,318.39
E60002	NH Combined	394.98

E60004	NH Combined	<u>249,716.63</u>
	<b>\$ 928,190.23</b>	
<b>Committee No. 7</b>	<b>Human Services</b>	
A60102	Administration	3,892.00
A60104	Administration	39,717.90
A61094	Family Assistance	120.00
A61404	Safety Net	720.00
A62124	WFD/DSS Intensive Employment	953.19
A62144	Economic Opportunity & Develop	725.04
A62174	WFD-DSS Wage Subsidy	218.06
A62924	WFD-APY Grant	52.89
A62934	WIA Adult	479.19
A62944	WIA Dislocated	1,371.79
A62954	WIA Youth	999.23
A62964	TANF Summer	1,920.58
A65104	Veteran Services	17.55
A67724	Area Agency on Aging	42,223.76
A73104	Youth Bureau	28,169.91
A73104	Youth Bureau – Recreation	<u>1,193.20</u>
	<b>\$ 122,772.29</b>	
	<b>Warrant Total</b>	<b>\$ 3,509,679.39</b>
	<b>During the Month Utilities</b>	<b>\$ 111,317.91</b>

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

**COMMUNICATIONS:**

The Clerk read the following:

The Sheriff's Report for the month of August 2008 in the amount of \$15,003.45 was received and filed.

A Notice of Public Hearing was received regarding a project for the use of Marshall Farms Group, LTD, conducted by the Wayne County Industrial Development Agency, to be held on October 10, 2008 at 9:30 a.m. at the Butler Town Offices.

A Notice of Public Hearing was received regarding a project for the use of Parkwood Heights, LLC, conducted by the Wayne County Industrial Development Agency, to be held on October 8, 2008 at 9:30 a.m. at the Macedon Town Offices.

The NYS Division of Housing and Community Renewal will hold a 30-day public comment period to provide an opportunity for public participation in the development of its draft Annual Action Plan for 2009, from September 8 through October 8, 2008.

A copy of the Western Finger Lakes Solid Waste Management Authority's April 28; July 10 and August 18, 2008 board meeting minutes were received and filed.

A copy of Resolution No. 315-08 from the Ontario County Board of Supervisors opposing Governor David A. Paterson's Budget cut that shift costs from the State Government to County property taxpayers was received.

A copy of Resolution No. 489-08 from the Ontario County Board of Supervisors with recommendations for responsible New York State Budget corrections for consideration was received.

A letter was received from Senator Michael Nozzolio to report that due to strong opposition regarding the State Division of the Budget raiding the snowmobile trail management and development fund of state revenue to help cover a budget shortfall, Governor Patterson has agreed to double the amount of spending on trail maintenance this year.

A letter was received from the State of New York Department of Agriculture and Markets to inform the Board that they have received the required materials to begin the process of

reviewing Wayne County Agricultural District No. 1, with a final determination to be made within the next sixty days.

A thank you note was received from David Lyon for the wonderful fruit basket, cards, words of encouragement and visits during his recent illness and he looks forward to getting back to business soon.

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

**PROCLAMATIONS:**

*Supervisor Collier read the proclamation for Hispanic Heritage Month – September 15 - October 15, 2008, on behalf of the Board.*

*A Proclamation for the month of September to proclaimed National Alcohol and Drug Addiction Recovery Month was read by Supervisor Park.*

**PRIVILEGE OF THE FLOOR:**

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

**RESOLUTION NO. 576-08: TRANSFER OF FUNDS FOR VARIOUS COUNTY DEPARTMENTS**

Mr. Plant presented the following:

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

**Account No. A3642 - E-911 Communications**

\$2,000 from .54230 (Telephone) to .54483 (Training, Seminars and Schools)

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

**RESOLUTION NO. 577-08: AUTHORIZATION TO PURCHASE EQUIPMENT AND FURNISHINGS FOR CERTAIN COUNTY DEPARTMENTS**

Mr. Plant presented the following:

RESOLVED, that the following Department Head is 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:

**Planning Director**

8000683                      1 - Adobe Acrobat 9.0                      \$1,172.92

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

**RESOLUTION NO. 578-08: AUTHORIZATION TO TRANSFER FUNDS FROM THE CONTINGENCY ACCOUNT IN THE 2008 COUNTY BUDGET FOR HRA AND FLEX PLAN PAYMENTS MADE PER COLLECTIVE BARGAINING AGREEMENTS FOR 2005, 2006 AND 2007**

Mr. Plant presented the following:

WHEREAS, certain collective bargaining agreements directs the county to make available HRA and Flex Plan payments for members effective January 1, 2005; and

WHEREAS, the County had appropriately budgeted said funds in each fiscal year, but the funds were returned to fund balance at the end of each year as the County did not transfer the funds into the Trust accounts to offset the payments; and

WHEREAS, the payments have been made to employees since 2005, thus over expending the appropriate Trust account; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to amend the 2008 County Budget as follows to fund the actual expenditures made to employees for 2005, 2006 and 2007:

**A1990-CONTINGENT FUND GEN:**

\$71,918.05 from .54000 Contractual Expenses

**A3114-ROAD PATROL:**

\$43,089.74 to .58903 HRA Plan Cost

**A3150-JAIL:**

\$28,828.31 to .58902 Flex Plan Cost

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

**RESOLUTION NO. 579-08: AUTHORIZING THE ADOPTION OF A WAYNE COUNTY WEB SITE LINK POLICY**

Mr. Plant presented the following:

WHEREAS, the County needs to have a standardized policy of what sites can be linked to from the County web site; now, therefore, be it

RESOLVED, that the following policy is hereby adopted by Wayne County:

**COUNTY OF WAYNE WEB SITE LINK POLICY**

Links Policy Summary

The County of Wayne government website includes links to external websites to help users of the website find useful information. External links may be provided when doing so furthers the mission and goals of the county government and its departments and agencies.

Linking Criteria

County of Wayne provides links to:

- Other government agencies
- Special purpose districts
- Education institutions (public & private)
- Libraries
- Museums
- Hospitals
- Police and fire departments
- Not-for-profit organizations serving the community

Requesting a Link

Links are to be submitted to and reviewed by the Wayne Co Webmaster and/or County Administrator.

Wayne County reserves the right to reject or remove links to any website if the site's content is inappropriate.

Approved links will normally be posted within three business days.

Send your request to [webmaster@co.wayne.ny.us](mailto:webmaster@co.wayne.ny.us)

Disclaimer

Links to other websites are provided for convenience and information only. Wayne County assumes no responsibility for their content and does not endorse these websites or their organizations. Wayne County reserves the right to remove links to other websites at any time and without notice.

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

**RESOLUTION NO. 580-08: AUTHORIZATION TO SELL CERTAIN REAL PROPERTY PARCELS ACQUIRED BY THE COUNTY FOR DELINQUENT TAXES TO ADJOINING LAND OWNERS**

Mr. Plant presented the following:

WHEREAS, pursuant to Resolution No. 451-08 duly enacted on June 17, 2007, the

Director of the Real Property Tax Office was authorized and directed to mail bid requests for certain properties to all appropriate adjacent land owners; and

WHEREAS, the following Bids were received by the Wayne County Attorney's Office:

#	SEQ #	VILLAGE/TOWN	TAX ID #	LOCATION
1.	316	V. OF CLYDE/T. OF GALEN	74112-09-106-731	Wayne Avenue Michael & Patricia Morabito submitted a bid in the amount of \$300
2.	809	TOWN OF MARION	66115-00-035279	Route 21 Donald Poorman submitted a bid in the amount of \$1.00
3.		TOWN OF MARION	66115-00-054016	E. Williamson Rd. Will & Richard Petty submitted a bid in the amount of \$200
4.	1330	TOWN OF SODUS	68118-00-386183	Pratt Road Charles Hunter, Jr. submitted a bid in the amount of \$301
5.	1394	TOWN OF SODUS	70117-15-597350	S. Geneva Road Richard Benham submitted a bid in the amount of \$1200
6.	1589	TOWN OF WILLIAMSON	66117-08-999795	Ridge Road Properties, Inc. submitted a bid in the amount of \$900
7.	1646	TOWN OF WOLCOTT	75117-15-664375	Leavenworth Ave. Craig Trine submitted a bid in the amount of \$105
8.	1657x	TOWN OF WOLCOTT	75117-15-711499	Smith Street Michael Crom submitted a bid in the amount of \$150 and Marvin Decker submitted a bid in the amount of \$1

now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the sale of the following auction properties to the following bidders for their bid amounts and all filing fees:

#	SEQ #	VILLAGE/TOWN	TAX ID #	LOCATION
1.	316	V. OF CLYDE/T. OF GALEN	74112-09-106-731	Wayne Avenue Michael & Patricia Morabito bid in the amount of \$300
2.	809	TOWN OF MARION	66115-00-035279	Route 21 Donald Poorman bid in the amount of \$1.00
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6.	1589	TOWN OF WILLIAMSON	66117-08-999795	Ridge Road Properties, Inc. bid in the amount of \$900
7.	1646	TOWN OF WOLCOTT	75117-15-664375	Leavenworth Ave. Craig Trine bid in the amount of \$105
8.	1657x	TOWN OF WOLCOTT	75117-15-711499	Smith Street

Michael Crom bid in the amount of \$150 and be it further

RESOLVED, That the Chairman of the Board of Supervisors, on behalf of the County, is hereby authorized and directed to execute all documents related to said sale, subject to the County Attorney's approval as to form and content and to deliver a quit-claim deed for the property in accordance with the terms and conditions of sale; and be it further

RESOLVED, That the bid submitted by Marvin Decker, in the amount of \$1, for auction property Sequence #1657x, in the Village of Wolcott, Town of Wolcott, Tax ID#75117-15-711499 located on Smith Street is hereby rejected, and the Wayne County Treasurer is hereby directed to return the bid deposit in the amount of \$1.

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

**RESOLUTION NO. 581-08: AUTHORIZATION TO AMEND RESOLUTION NO. 570-08 FOR SETTLEMENT OF CLAIM - RAY**

Mr. Plant presented the following:

WHEREAS, Resolution 570-08 authorized the settlement of the claim of Francis W. Ray, for damage caused to Mr. Ray's vehicle on June 8, 2008 on Clinton Street in the Town of Palmyra, for a total cost not to exceed Nine Hundred Twenty Two and 00/100 Dollars (\$922.00) made payable to Nationwide Insurance, Claimants insurance company; and

WHEREAS, Wayne County was recently informed of a Two Hundred and 00/100 Dollar (\$200.00) deductible required by Mr. Ray's insurance company; now, therefore, be it

RESOLVED, That Resolution #570-08 is hereby amended to read as follows:

WHEREAS, a vehicle owned by Wayne County caused damage to an automobile owned by Francis W. Ray, the said vehicle backed from a driveway on Clinton Street, Palmyra NY into Mr. Ray's vehicle that was parked and unoccupied on Clinton Street, on June 08, 2008 at approximately 1:07 p.m.; now therefore be it

RESOLVED; in settlement of said claim that the Wayne County Treasurer is hereby authorized and directed to pay Francis W. Ray the sum of One Thousand One Hundred Twenty Two and 00/100 Dollars (\$1122.00) from Account #1930 (Judgment & Claims) as directed by the Wayne County Attorney.

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

**RESOLUTION NO. 582-08: AUTHORIZATION TO PAY SETTLEMENT FOR ROBERT OPETT**

Mr. Plant presented the following:

WHEREAS, the Wayne County Highway Department damaged the driveway located at 3545 Walworth-Palmyra Road, in the Town of Walworth, belonging to Robert Opett; and

WHEREAS, the parties are desirous of settling this matter for a total amount not to exceed Two Thousand Three Hundred Dollars, (\$2,300.00); the cost of repairs to the driveway; now, therefore, be it

RESOLVED, that the Wayne the County Treasurer is hereby authorized and directed to issue a check made payable to Robert Opett, in the amount of Two Thousand Three Hundred Dollars, (\$2,300.00); from Account No. A#1930 (Judgments & Claims), as directed by the Wayne County Attorney.

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

**RESOLUTION NO. 583-08: AUTHORIZATION FOR SETTLEMENT OF CLAIM – EDWARD BROWN**

Mr. Plant presented the following:

WHEREAS, a 2008 Chevy Equinox owned by Edward Brown was involved in an incident where road paint from a Wayne County Highway Department project was splattered onto it;

said vehicle was brought to the Wayne County Highway barn to remove the paint and the bumper paint was damaged; and

WHEREAS, the parties have reached a settlement regarding this matter; now, therefore, be it

RESOLVED, in settlement of said claim that the Wayne County Treasurer is hereby authorized and directed to pay Mr. Brown, the sum of Three Hundred and 00/100 Dollars (\$300.00) from Account #1930 (Judgment & Claims) as directed by the Wayne County Attorney.

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

**RESOLUTION NO. 584-08: DECLARE EQUIPMENT SURPLUS FOR VARIOUS COUNTY DEPARTMENTS**

Mr. Plant 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:

**Real Property Tax Services**

- 1 - IBM Info Print 40 Copier Serial # 01-14992
- 3 - Desk Chairs (swivel on casters)
- 2 - Disc cases for DS/HD 1.44 MB Disc's

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

**RESOLUTION NO. 585-08: AUTHORIZING PAYMENT OF LITIGATION COST AND TRANSFER FUNDS**

Mr. Plant 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:	
West Union Street Associates	\$ 11.88
Town of Ontario:	
Orchard Grove Trailer Park	\$166.67
D.K.R. Investments LLC	\$100.97
Gullace	\$487.83

now, therefore, be it

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

\$767.35 to Account No. A1355.4506 (Attorneys) from Account No.A1990.4000 (Contingent Fund General-Contractual Expense); and be it further

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

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

**RESOLUTION NO. 586-08: TAX REFUND – ERROR ON TAX ROLL**

Mr. Plant presented the following:

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

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

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

**TOWN OF ARCADIA**

2007 Tax Roll

Account No. 67110-08-980960  
Assessed to: David & Donna Fagner  
Total Tax Difference: \$ 102.60 Total County Tax Difference: \$ 85.07  
Refund: \$ 102.60

2008 Tax Roll

Account No. 67110-08-980960  
Assessed to: David & Donna Fagner  
Total Tax Difference: \$ 98.36 Total County Tax Difference: \$ 79.42  
Refund: \$ 98.36

and be it further,

RESOLVED, that the County Treasurer is hereby authorized and directed to charge back the refunds in the manner prescribed by Section 556 of the Real Property Tax Law.

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

**RESOLUTION NO. 587-08: AUTHORIZATION TO ADVERTISE SEALED BIDS FOR COUNTY PROPERTY**

Mr. Plant presented the following:

WHEREAS, pursuant to Resolution No. 464-08, property acquired by the County of Wayne by tax deed was sold at public auction held Saturday, June 18, 2008; and

WHEREAS, the first and 2<sup>nd</sup> Bidders declined to purchase said property; now, therefore, be it

RESOLVED, that the Director of Real Property Tax Services is hereby authorized and directed to advertise for sale the following property by sealed bid:

<u>SEQ#</u>	<u>TOWN/VILLAGE</u>	<u>TAX ID#</u>	<u>LOCATION</u>
1776	WOLCOTT	78117-00-419913	6484 WESTBURY ROAD

and be it further

RESOLVED, that the advertisement shall run two times in the Courier Gazette, Macedon Times and Wayne County Star and be in the same format, style and format as customarily utilized by Real Property Tax Services in the tax foreclosure auction process. Said advertising charges shall be a charge to Account A1362, "Tax Advertising & Expense", Line .4402; and be it further

RESOLVED, all bids and deposits must be submitted with Wayne County's bid forms, which are available at the Real Property Tax Services office and all bids, deposits and bid forms must be submitted to the Wayne County Attorney's Office, 26 Church St, Lyons, NY 14489, no later than Friday, October 10, 2009 at 3:00 pm.

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

**RESOLUTION NO. 588-08: AUTHORIZATION TO EXECUTE SERVICE AND SUPPORT AGREEMENT FOR CARDIAC MONITOR/DEFIBRILLATOR EQUIPMENT FOR ALS**

Mrs. Bender presented the following:

WHEREAS, Wayne County ALS Services utilizes cardiac monitor / defibrillators manufactured by Physio-Control Corporation of Redmond, WA; and

WHEREAS, due to the essential nature of these devices, the monitor / defibrillators are covered under a service agreement currently in effect between the County and Physio-Control Corporation, with the current agreement term due to expire on September 30, 2008; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute a Service/Support Agreement on behalf of the County, subject to the approval of the County Attorney as to form and content, for a three year term beginning on October 1, 2008, at a cost not to exceed \$6,315.

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

**RESOLUTION NO. 589-08: AUTHORIZATION TO APPLY FOR GRANT THROUGH THE ROCHESTER AREA COMMUNITY FOUNDATION FOR THE PUBLIC DEFENDER'S OFFICE**

Mrs. Bender presented the following:

WHEREAS, the Public Defender's Office was informed of a grant that was available through the Rochester Area Community Foundation with a filing deadline of August 18, 2008; and

WHEREAS, the Public Defender's Office currently has new positions that are being funded by grant money through a DCJS grant that will be ending March 31, 2009; and

WHEREAS, the positions that are currently being funded by the grant have been extremely beneficial to the population being served by the Public Defender's Office and the public in general; now, therefore, be it

RESOLVED, that the Public Defender's Office is hereby authorized to execute documentation relating to the grant application allowing for money to continue funding a position created, established with DCJS grant funds, the result of which will be no additional cost to the county and to have done so early to avoid loss of the grant based on the deadline date.

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

**RESOLUTION NO. 590-08: AUTHORIZATION TO EXECUTE AN AGREEMENT WITH NYS DEPT. OF CORRECTIONAL SERVICES' OFFICE OF NUTRITIONAL SERVICES (DOCS-NS) AND WAYNE COUNTY OFFICE OF SHERIFF**

Mrs. Bender presented the following:

WHEREAS, the Wayne County Nursing Home purchases, prepares and provides all inmate meals to the Wayne County Office of Sheriff; and

WHEREAS, both agencies of the County of Wayne wish to enter into an agreement to procure food products to be utilized exclusively for the purpose of feeding the Wayne County Jail inmate population with NYS DOCS-NS located in Rome, New York; and

WHEREAS, the production of food products by DOCS-NS for use by the County Jail/Correctional Facility is consistent with Correction Law Sections 170 and 184; 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 NYS DOCS-NS for the purpose of providing food products to the Wayne County Jail/Correctional Facility beginning on or about September 17, 2008 and will remain in effective until 7/31/2011.

Mr. LeRoy moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll

call, adopted.

**RESOLUTION NO. 591-08: AUTHORIZATION TO ADVERTISE FOR BIDS FOR INMATE COMMISSARY SERVICES AND RESIDENT BANKING SOFTWARE**

Mrs. Bender presented the following:

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized to advertise for bids for inmate commissary services and resident banking software for use by the inmate population at the Wayne County Jail/Correctional Facility in accordance with specifications prepared by the Sheriff's Office and filed with the Clerk of the Board of Supervisors'; and be further

RESOLVED, that the Clerk of the Board of Supervisors is hereby designed and directed to publicly open the bids at the time specified in the Advertisement for Bids, and to present a record of the bids at the next meeting of the Board of Supervisors following the bid opening.

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

**RESOLUTION NO. 592-08: AUTHORIZATION FOR THE DISTRICT ATTORNEY TO APPLY FOR LEGISLATIVE GRANT**

Mrs. Bender presented the following:

WHEREAS, the District Attorney can apply for a yearly legislative grant to be used towards the recruitment and retention of assistant district attorneys (LG08088639 for \$12,775) with no matching funds; now, therefore, be it

RESOLVED, that the District Attorney is hereby authorized to apply for the legislative grant for \$12,775, to be paid to three full-time assistant district attorneys, David Shaw, Jacqueline McCormick, Christopher Bokelman, during the second pay period of May 2009; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute all necessary documents and implement the grant on behalf of the County, subject to the County Attorney's approval as to form and content, with the New York State Division of Criminal Justice Services.

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

**RESOLUTION NO. 593-08: AUTHORIZE OUT-OF-STATE TRAVEL FOR DISTRICT ATTORNEY**

Mrs. Bender presented the following:

RESOLVED, that the District Attorney is hereby authorized for out-of-state travel at the National College of District Attorneys, sponsoring a five day course/seminar from October 12-16, 2008 in Mesa, Arizona, on "Evidence for Prosecutors"; and be it further

RESOLVED, that the proposed cost of \$2,465.00 is totally reimbursable, with no County cost involved.

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

**RESOLUTION NO. 594-08: AUTHORIZE OUT-OF-STATE TRAVEL FOR PUBLIC DEFENDER ATTORNEYS TO ATTEND CLE TRAINING IN TAMPA, FLORIDA (Defeated)**

Mrs. Bender presented the following:

WHEREAS, the Wayne County Public Defender's Office applied for and received a grant from the Department of Criminal Justice Services for the period of March 2008 through March 2009; and

WHEREAS, a portion of the grant monies were allocated to provide additional training for the attorneys in the Public Defender's Office; and

WHEREAS, the National Association of Criminal Defense Lawyers is presenting a training program, Succeeding with Juries: Selection & Persuasion, which would present an extensive

training opportunity that would not be available regionally; and

WHEREAS, the cost for two attorneys to attend is \$790 for registration and \$270 for events fee, \$201 per night for the room (including 12% room tax) or four attorneys (group rate) for \$840 registration and \$540 for events fees plus \$402 per night for the rooms (including 12% room tax). Additionally, there is the cost of airfare of \$330 each plus \$100 per person for additional travel costs and meals at \$50 per person per day; now, therefore, be it

RESOLVED, that four attorneys from the Wayne County Public Defender's Office are authorized to attend the training *Succeeding with Juries: Selection & Persuasion* to be held at the Hyatt Regency, Tampa, Florida from October 23-26, 2008. The cost of the trip for the four attorneys will be \$840 registration fees, \$540 events fees, \$1,206 room fee, \$1,720 for airfare and additional travel and meals at \$800. The total cost of the trip is not to exceed \$5,106 and will be paid from DCJS grant money from line item .54483, Training Seminars & Schools.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, all Supervisors voted Nay except Supervisors Colacino, Spickerman, Groat, Crane and Fabino who voted Aye. Absent - Supervisors Kelsch and Lyon. The Chairman declared the Resolution defeated.

The Clerk read the following Notice of Public Hearing at 7:15 p.m.

**NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAW  
INTRO NO. F/LOCAL LAW NO. \_\_\_ FOR THE YEAR 2008**

PLEASE TAKE NOTICE, that there has been duly introduced before this Board of Supervisors of the County of Wayne on the 19<sup>th</sup> day of August 2008, a proposed Local Law of the County, designated as Intro No. F/Local Law No. \_\_\_ for the year 2008; and

NOTICE IS FURTHER GIVEN, that the Wayne County Board of Supervisors will hold a public hearing on Tuesday, September 16, 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 providing for enhanced personal privacy protection for documents recorded in the Office of the County Clerk, and authorizing an increase in fees collected by the county clerk for the recording, entering, indexing and endorsing a certificate on any instrument as indicated by the State of New York.

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

**SECTION 1. DECLARATION OF INTENT**

In accordance with subparagraph (2) of paragraph 4 of subdivision (a) of section 8021 of the Civil Practice Law and Rules, as amended by Chapter 78 of the Laws of 1989, the Wayne County Board of Supervisors authorizes the Wayne County Clerk to increase the fees charged for certain documents recorded with the County Clerk's Office.

**SECTION 2. FEES FOR RECORDING DOCUMENTS**

For recording, entering, indexing and endorsing a certificate on any instrument, the fee is increased from five dollars to twenty dollars and, in addition thereto, is increased from three dollars to five dollars for each page or portion of a page. For the purpose of determining the appropriate recording fee, the fee for any cover page shall be deemed an additional page of the instrument. A cover page shall not include any social security account number or date of birth.

**SECTION 3. SEVERABILITY**

If any section, subsection, sentence, clause, phrase or other portion of this local law is for any reason declared unconstitutional, or invalid or in whole or in part by any court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidation shall not affect the validity of the remaining portions of this law which remaining portions shall remain in full force and effect.

**SECTION 4. EFFECTIVE DATE**

This local law shall take effect thirty days after filing in the office of the secretary of state pursuant to section 27 of the municipal home rule law.

Dated: August 21, 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. Plant moved, seconded by Mr. Fabino, that the hearing be closed. Upon roll call, carried.

**RESOLUTION NO. 595-08: AUTHORIZATION TO EXECUTE CONTRACT WITH DAN LONG ARCHITECT AND ASSOCIATES FOR PLANS AND SPECIFICATIONS FOR SEVERAL COUNTY STRUCTURES**

Mr. LeRoy presented the following:

WHEREAS, we are in need of plans and specifications to apply for Building Permits for several structure cited by the NYS Codes Division; and

WHEREAS, Dan Long Architect and Associates has reviewed certain County Departments for the need to bring the following areas into compliance with the NYS Building Code:

- Sheriff Records Office
- Nursing Home garage storage loft
- Buildings and Grounds storage loft
- Storage space issues under the housing unit of the Jail

now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement with Dan Long Architect and Associates, subject to the approval of the County Attorney as to form and content, to provide all required plans and specifications to obtain building permits and/or variances to bring the aforementioned areas into compliance with the NYS Building Code; and be it further

RESOLVED, that the quote provided by Dan Long Architect and Associates, dated August 20, 2008 in the amount of \$5,235.00, shall be the amount paid for the provision of the required plans and specifications.

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

**RESOLUTION NO. 596-08: AUTHORIZATION TO AMEND AGREEMENT WITH BARTON AND LOGUIDICE FOR ENGINEERING SERVICES FOR THE ROUTE 31 CAMPUS SCREENING PROJECT**

Mr. LeRoy presented the following:

WHEREAS, pursuant to Resolution No. 293-07, the Wayne County Board of Supervisors contracted with Barton and Loguidice for the provision of Engineering Services for the purpose of handling waste water from the Route 31 Complex; and

WHEREAS, Barton and Loguidice has provided an amendment for the engineering services agreement outlining the provision of services not covered in their original agreement dated March 30, 2007; and

WHEREAS, this amendment agreement has been reviewed by the Superintendent of Buildings and Grounds and the Public Works Committee; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an amended agreement, subject to the approval of the County Attorney as to form and content, with Barton and Loguidice; and be it further

RESOLVED, that the Engineering Services Agreement Amendment No. 1, shall become part of the amended agreement and Barton and Loguidice shall be compensated an additional \$4,000.00 for their services as outlined.

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

**RESOLUTION NO. 597-08: AUTHORIZATION TO DECLARE VEHICLE SURPLUS AND REQUEST A SURPLUS VEHICLE FOR THE WAYNE COUNTY HIGHWAY DEPARTMENT**

Mr. LeRoy presented the following:

WHEREAS, the following vehicle is no longer of use by the Wayne County Highway Department:

2000 Ford Crown Victoria White 2FAFP71WXYX166255

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; and be it further

RESOLVED, that the following surplus vehicle, declared surplus in Resolution 474-08, be transferred to the Wayne County Highway Department:

2003 Ford Crown Victoria White 2FAFP71W43X121823

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

**RESOLUTION NO. 598-08: AUTHORIZATION TO AMEND RESOLUTION NO. 49-08 "AUTHORIZATION TO ADVERTISE FOR THE REMOVAL OF UNDERGROUND TANKS"**

Mr. LeRoy presented the following:

WHEREAS, the Superintendent of Buildings and Grounds has previously been authorized to advertise for bids for the removal of four underground tanks; and

WHEREAS, there are two underground tanks at the Highway Department that were not included in the original count of tanks or in the original resolution; and

WHEREAS, it is desirable for the two departments to combine the specifications and required work into one bid document; now therefore be it

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to advertise for bids for the removal of six underground fuel tanks that are no longer needed, in accordance with specifications prepared by the Highway Department staff and Superintendent of Buildings and Grounds and subject to the County Attorney's approval as to form and content; and be further

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

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

**RESOLUTION NO. 599-08: AUTHORIZATION TO ENTER AGREEMENT WITH FISHER ASSOCIATES FOR THE CONSULTANT SERVICES FOR THE CREAGER ISLAND BRIDGE REPLACEMENT 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, that the funds were established per Resolution 461-07; and  
WHEREAS, the fee of \$118,600 has been negotiated with Fisher Associates 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 Fisher Associates for consultant services of the Creager Island Bridge Replacement (Project D51122.52686) in the Town of Galen.  
Mrs. Bender moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, adopted.

**RESOLUTION NO. 600-08: AUTHORIZE COUNTY TREASURER TO DISBURSE SNOWMOBILE TRAILS FUNDING TO SNOWMOBILE CLUBS**

Mr. Spickerman presented the following:  
WHEREAS, Wayne County is the Local Sponsor for the Snowmobile Trails Grant-In-Aid program; and  
WHEREAS, Wayne County applied for 2007-2008 aid through the NYS Office of Parks, Recreation and Historic Preservation, and has been designated to receive a total of \$28,725 in allowable grant funds for the purpose of maintaining and developing approved snowmobile trails within the county; and  
WHEREAS, the Snowmobile Clubs have provided sufficient documentation of trail development and maintenance activities; and  
WHEREAS, New York State has audited and approved the documentation of expenditures by the Clubs; now, therefore, be it  
RESOLVED that the Wayne County Treasurer is hereby authorized to distribute upon its receipt the \$ 8,617.50 (30%) as follows:  
Lakeshore Snow Devils \$3,060.50  
Old Erie Riders, Inc. 300.00  
Canaltown Snowmobilers, Inc. 1,755.00  
Webster Ridge Runners 1,072.00  
Williamson Drift Riders 2,430.00  
Ms. Park moved the adoption of the resolution. Seconded by Mrs. Bender.

Mr. Plant commented that at this time, he would be voting in favor of this resolution as to the distribution of snowmobile trail funding to snowmobile clubs, as proposed. Mr. Plant stated that Ms. Sharon Lilla, Planning Director, was looking into requesting additional funding for the issue of law enforcement for county snowmobile trails.

Upon roll call, adopted.

**RESOLUTION NO. 601-08: AUTHORIZE INCREASE IN NYS CANAL CORPORATION PERMIT FEE FOR SPOILS DISPOSAL FROM DREDGING OF THE CLYDE RIVER**

Mr. Spickerman presented the following:  
WHEREAS, Resolution No. 233-07 authorized the Chairman of the Board of Supervisors to execute a Canal Permit application to the NYS Canal Corporation for the upland disposal of spoils generated as a result of the Clyde River Dredging and Bridge Construction Project; and  
WHEREAS, the permit fee has now increased from a \$25 one time payment to an annual fee of \$95, beginning 7/1/08; and  
WHEREAS, the NYS Canal Corporation has provided to Wayne County a Real Estate Permit for Use and Occupancy of NYS Canal Corporation Property, specifically allowing the utilization of a portion of their Upland Disposal Site 6-7 for the deposition of dredge material from the Clyde River; now, therefore, be it  
RESOLVED, that the Wayne County Planning Department is authorized to pay the use

and occupancy permit fee in the amount of \$95 and that such payment shall be annually obtained from Account No. A8020.54600 (Miscellaneous Expense).

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

**RESOLUTION NO. 602-08: AUTHORIZE MRB GROUP TO PREPARE ALTERNATIVE USE STRATEGY FOR SAVANNAH ELEMENTARY SCHOOL (Defeated)**

Mr. Spickerman presented the following:

WHEREAS, Congressman James Walsh awarded Wayne County \$74,400 for planning and marketing of an alternative use strategy for the Savannah Elementary School; and

WHEREAS, Resolution No. 454-05 authorized Wayne County to accept this grant; and WHEREAS, the Planning Director issued a Request for Proposals for professional services in connection with the Savannah Elementary School Alternative Use Strategy as authorized by Resolution 680-05; and

WHEREAS, a committee comprised of members of the Clyde Savannah Central School District Board of Education and local elected officials reviewed proposals from the following consultants:

Gordon Vincent Associates	\$170,000
MRB Group	\$60,000
Camoin Associates	\$34,829
Stuart Brown and Associates	\$29,500

(Option A - \$3,300; Option B - \$4,000; Option C - \$4,000) – Total with all Study options - \$40,800; and

WHEREAS, the selection committee reviewed proposals before opening sealed cost proposals to insure that each consultant was evaluated on the adequacy of their response to the criteria contained in the RFP; and

WHEREAS, the selection committee has recommended that MRB Group of Rochester conduct the Alternative Use Strategy Study because their proposal most closely addressed the requirements found in the RFP; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to enter into an agreement with MRB Group for professional services in connection with the Alternative Use Strategy Study for the Savannah Elementary School at a cost not to exceed \$60,000, subject to approval as to form and content by the County Attorney, with a completion date of December 31, 2008.

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

Mr. Lauderdale addressed the Board to state that there had been significant changes regarding the understanding of opportunities of this school structure since the announcement of the award of funding for planning and marketing of an alternative use strategy for the Savannah Elementary School. The school has proposed upgrades to accommodate the Pre-K, Kindergarten and 1st grade programs.

Mr. Lauderdale added that the general consensus of his community is to keep the Savannah Elementary School building a facility for the school district and not convert the building into a facility for higher education.

Mr. Lauderdale relayed to the Board that at this time, it would not be a wise use of taxpayer's funds; therefore, he requested that the Supervisors vote no on this resolution for the Alternative Use Strategy Study.

Upon roll call, all Supervisors voted Nay. Absent - Supervisors Kelsch and Lyon. The Chairman declared the Resolution defeated.

**RESOLUTION NO. 603-08: RESOLUTION AUTHORIZING INDUSTRIAL SITE FUNDS FOR IMPROVEMENTS TO ACCESS FOR ADDITION TO LYONS INDUSTRIAL PARK**

Mr. Spickerman presented the following:

WHEREAS, the Board of Supervisors has established a program for aid for industrial site development within the County for the purposes of promoting the economic welfare and prosperity of County residents through increased employment and expansion of the tax base; and

WHEREAS, two companies, Jamko and Westlor, have proposed a multi-phased industrial development in and adjacent to the Lyons Industrial Park; and

WHEREAS, costs to develop the roadway and utilities for the two parcels is estimated at \$250,000; and

WHEREAS, the proposed extension contains job creation in the immediate future along with capital investment; now, therefore, be it

RESOLVED, that the County shall provide funding from the Industrial Site Development Fund to assist with the construction of roadway and utilities, not to exceed \$83,333, to be distributed after the infrastructure has been completed and an accounting of the local municipalities' participation for 1/3 of the costs (in-kind), along with submission of costs paid by the companies; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute any agreements or documents necessary to implement the resolution on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 604-08: AUTHORIZATION TO ACCEPT PROPOSAL FROM COBURN DESIGN FOR THE 2009 VISITOR GUIDE**

Mr. Spickerman presented the following:

RESOLVED, that the proposal submitted by Coburn Design, 238 Genesee Street, Auburn, NY 13021 for Design of 2009 Wayne County Visitor's Guide, at a total cost of \$3,800 is hereby approved.

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

**RESOLUTION NO. 605-08: AUTHORIZATION TO ADVERTISE FOR BIDS TO PRINT 2009 WAYNE COUNTY VISITOR GUIDE**

Mr. Spickerman presented the following:

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for bids for printing of the 2009 Wayne County Visitor Guides in accordance with specifications prepared by the Director of Tourism and Publicity and approved by the County Attorney as to content and form; and be it further

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

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

**RESOLUTION NO. 606-08: AUTHORIZATION TO AMEND RESOLUTION NO. 546-08: AUTHORIZATION TO EXECUTE APPLICATION FOR STATE TOURISM MATCHING FUNDS AND DESIGNATE PROJECT DIRECTOR**

Mr. Spickerman presented the following:

RESOLVED, that Resolution No. 546-08 is hereby amended to read as follows:

"RESOLVED, that the Wayne County Office of Tourism and Promotion is hereby designated as the Tourist Promotion Agency for the County of Wayne ("County") for the purpose specified in the New York State Promotion Act; and be it further

RESOLVED, that the Director of Wayne County Office of Tourism and Promotion is hereby authorized to apply on behalf of the County for funding under the 2009 New York State

Matching Grant Program for the County Tourism Project

County Share \$ 258,850

State Share \$ 258,850

RESOLVED, that Christine Worth is hereby designated Project Director and authorized to execute the grant application on behalf of Wayne County."

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

**RESOLUTION NO. 607-08: ADOPTING LOCAL LAW PROVIDING FOR ENHANCED PERSONAL PRIVACY PROTECTION FOR DOCUMENTS RECORDED IN THE OFFICE OF THE COUNTY CLERK**

Mrs. Collier presented the following:

WHEREAS, a local law providing for enhanced personal privacy protection for documents recorded in the Office of the County Clerk, and authorizing an increase in fees collected by the County Clerk for the recording, entering, indexing and endorsing a certificate on any instrument as indicated by the State of New York, designated as Intro F/Local Law No. 7 for the year 2008, was presented to the Board of Supervisors on Tuesday, August 19, 2008; and

WHEREAS, a public hearing on the proposed local law was held by the Board of Supervisors on Tuesday, September 16, 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**

A local law providing for enhanced personal privacy protection for documents recorded in the Office of the County Clerk, and authorizing an increase in fees collected by the county clerk for the recording, entering, indexing and endorsing a certificate on any instrument as indicated by the State of New York.

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

**SECTION 1. DECLARATION OF INTENT**

In accordance with subparagraph (2) of paragraph 4 of subdivision (a) of section 8021 of the Civil Practice Law and Rules, as amended by Chapter 78 of the Laws of 1989, the Wayne County Board of Supervisors authorizes the Wayne County Clerk to increase the fees charged for certain documents recorded with the County Clerk's Office.

**SECTION 2. FEES FOR RECORDING DOCUMENTS**

For recording, entering, indexing and endorsing a certificate on any instrument, the fee is increased from five dollars to twenty dollars and, in addition thereto, is increased from three dollars to five dollars for each page or portion of a page. For the purpose of determining the appropriate recording fee, the fee for any cover page shall be deemed an additional page of the instrument. A cover page shall not include any social security account number or date of birth.

**SECTION 3. SEVERABILITY**

If any section, subsection, sentence, clause, phrase or other portion of this local law is for any reason declared unconstitutional, or invalid or in whole or in part by any court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidation shall not affect the validity of the remaining portions of this law which remaining portions shall remain in full force and effect.

**SECTION 4. EFFECTIVE DATE**

This local law shall take effect thirty days after filing in the office of the secretary of state pursuant to section 27 of the municipal home rule law.

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

**RESOLUTION NO. 608-08: AUTHORIZATION TO ACCEPT PROPOSAL FOR MICROFILM AND MAP IMAGING SERVICES AND TO AUTHORIZE COUNTY ATTORNEY TO DRAW UP AGREEMENTS FOR SAID SERVICES**

Mrs. Collier presented the following:

WHEREAS, written requests for proposal were issued to vendors who were on the New York State List of Vendors for pricing on services for microfilming and imaging services; and

WHEREAS, the written proposals have been viewed by County Clerk and the Committee on Government Operations and they have recommended accepting the pricing on microfilm and Imaging services from the following vendor:

Biel's Information Technology Systems, Buffalo NY  
\$.03p per image            Microfilm Services

Biel's Information Technology Systems, Buffalo NY  
\$1.34 per mapImaging Services

now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Biel's Information Technology Systems, Buffalo, NY for microfilming and imaging services as listed above for the office of the Wayne County Clerk; and be it further

RESOLVED, said contract shall be for the period of one (1) year extending from January 1, 2009 to December 31, 2009 with an option to renew for two additional years.

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

**RESOLUTION NO. 609-08: AUTHORIZATION TO PURCHASE SUPPLIES FOR NEW VOTING MACHINES FOR WAYNE COUNTY BOARD OF ELECTIONS**

Mrs. Collier presented the following:

WHEREAS, the County of Wayne Board of Elections will be initiating the use of the new ImageCast voting machine with the Village of Sodus Primary on September 9, 2008 and the General Presidential Election on November 4, 2008; and

WHEREAS, the requirements for ballot paper, ADA voter supplies: ATI control devices, headphones, rocker panels, sip & puff devices, power cords, and ancillary supplies are needed for the implementation of voting procedures with the voter; and

WHEREAS, any spoiled or voided paper ballots need to be secretly and securely retained and accounted for; now, therefore, be it

RESOLVED, that the Board of Elections is hereby authorized to purchase 70 Supply Travel Suitcases and 70 Locking Provisional Bags and seals for the upcoming elections to be held in 2008 at a total cost of \$8,284.60 to be expended from Account No. A14504.54421 - Election Expense.

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

**RESOLUTION NO. 610-08: AUTHORIZATION TO RENT TRUCK FOR TRANSPORTATION OF NEW VOTING EQUIPMENT FOR USE AT THE 2008 ELECTIONS FOR THE BOARD OF ELECTIONS**

Mrs. Collier presented the following:

WHEREAS, the County has responsibility for the voting machines and is storing the equipment at a central location within the County and it is necessary to transport the voting machines to the polling places and then return them to the storage site; and

WHEREAS, the County does not possess a truck with the required air-ride capability and hydraulic lift gate for transporting the voting machines; and

WHEREAS, the following quotes for were received for a 26 foot long air-ride truck with hydraulic lift gate:

Ryder: \$350/wk, \$65/dy, \$0.14/mile, \$25/dy insurance

Penske: \$89/dy, \$0.29/mile, \$28/dy insurance

DeCarlois: \$390/wk, \$78/dy, \$0.18/mile,

Budget: Would only rent truck for a two month period or longer

Diesel fuel extra in addition to above rates

now, therefore, be it

RESOLVED, that the Commissioners of the Board of Elections are hereby authorized to rent a truck with the required features from Ryder at a cost of \$350 per week plus \$25/dy insurance, to be expended from Account No. A14505.54421 (Election Expense).

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

**RESOLUTION NO. 611-08: AUTHORIZATION FOR BUDGET AMENDMENT TO A1230 COUNTY ADMINISTRATION FOR 2008**

Mrs. Collier presented the following:

WHEREAS, the 2008 County Administration budget requires an amendment to increase conference line items to allow for staff to travel to conferences which will provide valuable information on Federal, State and local financing and operations; and

WHEREAS, a transfer of funds within the A1230 budget is required to eliminate anticipated line item deficits, now, therefore be it

RESOLVED, that the County Treasurer amend the County Administrator's 2008 County Budget as follows:

**Account No. A1230 - COUNTY ADMINISTRATOR**

\$500.00 from .51023 (Secretary – County Administrator)

\$551.14.00 from .52200 (Office Equipment)

\$1,051.14 to .54410 (Conferences)

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

**RESOLUTION NO. 612-08: RESOLUTION TO REQUEST ENFORCEMENT OF LAW REGARDING TAXATION OF SALES OF CIGARETTES, GASOLINE AND DIESEL FUEL AT NATIVE AMERICAN OWNED ESTABLISHMENTS**

Mrs. Collier presented the following:

WHEREAS, the state of New York is currently in a financial crisis; and

WHEREAS, current state law authorizes and requires collection of New York State sales tax on sales by Indian owned establishments to non-Indian purchasers; and

WHEREAS, the state has consistently failed and refused to collect such sales tax resulting in loss of millions of dollars annually in revenue to both the state and local government; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to communicate to the governor and to the members of the state legislature the request of the Wayne County Board of Supervisors, as representative of the citizens of Wayne County, that the state legislature take all lawful steps to collect all motor fuel taxes and all New York State sales taxes due upon sales of cigarettes, motor fuel and other products by Native American owned establishments throughout the state.

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

**RESOLUTION NO. 613-08: BOARD OF SUPERVISORS URGES GOVERNOR TO SIGN BILL PROHIBITING WHOLESALERS FROM SELLING UNTAXED CIGARETTES TO RETAILERS**

Mrs. Collier presented the following:

WHEREAS, on Friday, July 21, 2008, the New York State Senate passed S 8146-B, a bill sponsored by Senator Michael Nozzolio that would require wholesalers to certify to manufacturers that they would not sell untaxed cigarettes to retailers; and

WHEREAS, on the same date the New York State Assembly passed A 11258-A, a companion bill sponsored by Assemblyman William Magee that specified the same requirements; and

WHEREAS, this legislation would prohibit manufacturers from selling cigarettes to stamping agents who have not provided certification, under penalty of perjury, that they would not sell the cigarettes untaxed; and

WHEREAS, this legislation seeks to enforce existing statutes requiring the collection of taxes on the sale of tobacco products by Indian enterprises to non-Indians; and

WHEREAS, the State Department of Taxation and Finance continues to ignore the intent and mandate of this law; and

WHEREAS, it is estimated that the collection of these taxes would generate more than \$400 million annually in State revenue; now, therefore, be it

RESOLVED, the Wayne County Board of Supervisors urges Governor David Paterson to sign into law the legislation proposed by S 8146-B/A 11258-A and direct the Department of Taxation and Finance to implement it without delay; and be it further

RESOLVED, copies of this resolution shall be sent with appreciation to State Senator Michael Nozzolio and State Assemblyman Robert Oaks; and be it further

RESOLVED, copies of this resolution shall be sent to NYSAC and to the chairpersons of legislative boards of New York State counties urging them to pass a similar resolution.

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

**RESOLUTION NO. 614-08: AUTHORIZATION TO ADOPT NO SOLICITATION POLICY**

Mrs. Collier presented the following:

WHEREAS, receiving solicitations at the workplace may be intimidating to some county employees; and

WHEREAS, receiving solicitations within county structures is disruptive to employees' performance of their mission to provide service to the public; and

WHEREAS, solicitors are utilizing public property and employee time for private profit; and

WHEREAS, public property and employee time may not be used for private gain; now, therefore, be it

RESOLVED, that Solicitors are hereby banned from Wayne County Government Property except when related to county government activity; and be it further

RESOLVED, that the Building and Grounds Department shall cause to have erected appropriate signs giving notice to Solicitors; and be it further

RESOLVED, that this policy can be waived by the Chairman of the Board of Supervisors and the County Administrator in writing for a specific duration for certain events that may support the delivery of service to clients of departments or to residents of the county nursing home or for certain charitable functions or activities such as United Way contributions or County supported blood drives; and be it further

RESOLVED, that said policy will hereby go into affect January 1, 2009.

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

**RESOLUTION NO. 615-08: AUTHORIZATION TO EXECUTE MAINTENANCE AGREEMENT FOR AUTOMATIC DOOR EQUIPMENT AT THE WAYNE COUNTY NURSING HOME**

Ms. Park presented the following:

WHEREAS, the sliding doors at the Wayne County Nursing Home require regular scheduled services to ensure safety and to be in good working conditions; and

WHEREAS, the Wayne County Nursing Home would like to contract with Besam Entrance Solutions to provide planned maintenance service for said sliding doors for a five (5) year agreement commencing October 1, 2008 and ending December 31, 2012; and

WHEREAS, the maintenance service fee is nine hundred fifty dollars (\$950.00) annually; now, therefore, be it

RESOLVED, the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an agreement, on behalf of the Wayne County Nursing Home, with Besam Entrance Solutions in a form approved by the County Attorney, for a five (5) year agreement commencing October 1, 2008 and ending December 31, 2012 at an annual cost not to exceed \$950 per year.

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

**RESOLUTION NO. 616-08: AUTHORIZATION TO EXECUTE AN AGREEMENT BETWEEN THE WAYNE COUNTY NURSING HOME AND MCQUAY FACTORY SERVICE**

Ms. Park presented the following:

WHEREAS, McQuay Factory Service will provide preventive Maintenance Program for the central chiller plant for a three (3) year agreement commencing January 1, 2009 and ending December 31, 2011; and

WHEREAS, the program fee is as:

2009 - \$5,740.00

2010 - \$6,027.00

2011 - \$6,329.00

and

WHEREAS, this is an increase from \$4,140 per year based on the last three years; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors be authorized to execute an agreement, on behalf of the Wayne County Nursing Home, with McQuay Factory Service in a form approved by the County Attorney.

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

**RESOLUTION NO. 617-08: AUTHORIZATION TO AMEND RESOLUTION 182-07 TO EXECUTE CONTRACT FOR EI SERVICE PROVIDER**

Ms. Park presented the following:

WHEREAS, the County is required to contract for Early Intervention (EI) services or programs; and WHEREAS, Wayne County Public Health would like to contract with Kimberly Fladd McCaffrey to provide Speech Therapy services to families and children; and

WHEREAS, the rates for EI services are set by New York State Department of Health which are \$69 for a basic visit and \$97 for an extended visit; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract, subject to the County Attorney's approval as to form and content, with Kimberly Fladd McCaffrey at a cost not to exceed \$4,690 for the period 09/01/08 – 06/30/09.

Kimberly Fladd McCaffrey

1140 Frawley Drive

Webster, NY 14580

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

**RESOLUTION NO. 618-08: AUTHORIZATION TO EXECUTE SUBCONTRACT WITH HEALTH RESEARCH, INC. FOR BREAST & CERVICAL CANCER EARLY DETECTION PROGRAM**

Ms. Park presented the following:

WHEREAS, Wayne County Public Health currently has a contract with the NYS DOH to provide cancer screening services through the Cancer Screening Partnership of Wayne County; and

WHEREAS, Health Research Institute, Inc. (HRI) has been awarded additional funding through the CDC for the same in the amount of \$27,197; and

WHEREAS, part of the overall project involves the Breast & Cervical Cancer Early Detection Program through Wayne County, who is willing and capable of performing the services required for the project; now, therefore, be it

RESOLVED, that the Chairman of the Board is hereby authorized to execute the subcontract with HRI, subject to the County Attorney's approval as to form and content, for the period 06/30/08 to 06/29/09, for an amount not to exceed \$27,197.

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

**RESOLUTION NO. 619-08: AUTHORIZATION TO PURCHASE COMPUTER EQUIPMENT FOR IAP GRANT PUBLIC HEALTH SERVICES**

Ms. Park presented the following:

WHEREAS, pursuant to Resolution No. 227-08, funds were transferred for the purchase of computer equipment for the Immunization Action Plan grant in the amount of \$1,800 in Account No. A4011.52201- Public Health Service - Computer Equipment; and

WHEREAS, there are additional funds available in Account No. A4010.52201 Public Health-Computer Equipment in an amount of \$400.00 for the additional cost that is needed for this purchase; now, therefore, be it

RESOLVED, that the Public Health Director is hereby authorized and directed to purchase two (2) desktop computers at a cost not to exceed \$2,200.00.

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

**RESOLUTION NO. 620-08: AUTHORIZATION TO EXECUTE CONTRACT WITH A NEW PROVIDER FOR SERVICES FOR CANCER SCREENING PARTNERSHIP GRANT**

Ms. Park presented the following:

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

WHEREAS, the provider is willing to provide such service; now, therefore, be it

RESOLVED that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract with the following provider (see below) on behalf of Wayne County Public Health Service, subject to the County Attorney's approval as to form and content for the contract period 7/1/08 – 3/31/09, at a cost not to exceed \$40,000.

Quest Diagnostics, Inc.

Four Parkway Center

875 Greentree Road

Pittsburgh, PA 15220

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

**RESOLUTION NO. 621-08: AUTHORIZING CONTRACT WITH PROVIDER FOR RELATED SERVICES FOR PRESCHOOL CHILDREN WITH HANDICAPPING CONDITIONS**

Ms. Park presented the following:

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

RESOLVED, pursuant to Section 4410 of the Education Law, that the Chairman of the Board of Supervisors is hereby authorized to execute contracts for the provision of related services for preschool children with handicapping conditions during the period 9/1/08 – 6/30/09, at a cost not to exceed \$22,000, in accordance with the rates approved by the Public Health Committee of the Board of Supervisors as follows:

Kimberly Fladd McCaffrey  
114 Trawley Drive, Webster, NY 14580  
Speech Therapy at a cost of \$55 per ½ hr.

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

Mr. Hammond addressed the Board to state that he received word that there will not be a 6% cut to NY Connects budget in the SFY 2008-09 Appropriations. Therefore, he will propose to amend Resolution Nos. 622-08 and 625-08 to increase the budget amount on the NY Connects grant application to \$64,000, as well as, increasing the contract amount to the same.

**RESOLUTION NO. 622-08: AUTHORIZATION TO SUBMIT NY CONNECTS GRANT APPLICATION FOR THE DEPARTMENT OF AGING AND YOUTH**

Mr. Hammond presented the following:

WHEREAS, NY Connects provides consumer's comprehensive and unbiased information and assistance in all long term care services and supports regardless of payer source, age or disability. The goal of NY Connects is to inform long term care consumers of their options, stressing community- based alternatives of care in order reduce the need and delay entry into more costly institutional level of care, and

WHEREAS, NY State Office for Aging and the NYS Department of Health have notified Wayne County of the opportunity to apply for funding in the amount of \$64,000 to administer this program, therefore be it

RESOLVED, that the Department of Aging and Youth is authorized to apply for the NY Connects funding in the amount of \$61,200, upon review and approval by the County Attorney; and be it further

RESOLVED, that this grant is 100% funded with the program year running from October 1, 2008 through September 30, 2009.

Ms. Park moved the adoption of the resolution. Seconded by Mrs. Collier.

Mr. Hammond, moved, seconded by Mr. Plant, that the first "RESOLVED" clause in Resolution No. 622-08 be amended to read as follows:

"RESOLVED, that the Department of Aging and Youth is authorized to apply for the NY Connects funding in the amount of \$64,000, upon review and approval by the County Attorney; and be it further"

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

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

**RESOLUTION NO. 623-08: AUTHORIZATION TO EXECUTE A CONTRACT FOR ENTERTAINMENT FOR THE DEPARTMENT OF AGING AND YOUTH**

Mr. Hammond presented the following:

WHEREAS, the Department of Aging and Youth has received a grant allocation from Wayne County Action program as part of the NYS Dept. of Health's Community Based Adolescent Pregnancy Prevention Project to implement a Youth Conference for 100 middle

school youth; and

WHEREAS, the Department of Aging and Youth will hold a Youth Conference for 100 Wayne County middle school youth on November 6, 2008 from 8:30am-1:30pm at Lyons Community Center; and

WHEREAS, the Department of Aging and Youth requests authorization to contract with Bush Mango Drum and Dance. Bush Mango Drum and Dance will perform for 45 minutes at the beginning of the conference. The total fee is \$845.00 which includes all expenses. All equipment needed, except for the sound system, will be provided by Bush Mango; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to contract on behalf of the County of Wayne, subject to the County Attorney's review and approval as to form and content, with Bush Mango Drum and Dance C/o Colleen Hendrick, 34 Elton Street, Rochester, NY 14607, for a performance on November 6, 2008 from 8:30am-1:30pm at Lyons Community Center.

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

**RESOLUTION NO. 624-08: AUTHORIZATION TO RENEW CONTRACT FOR TITLE V SENIOR EMPLOYMENT SERVICES WITH FINGER LAKES WORKS FOR THE DEPARTMENT OF AGING AND YOUTH**

**Mr. Hammond presented the following:**

WHEREAS, under the Older American Act allocates Title V funding to the local Offices of Aging to provide employment and training services to income eligible seniors over 55; and

WHEREAS, the Department of Aging and Youth contracts with Finger Lakes Works to provide subsidized employment and training services for persons 55 and older; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized, subject to the County Attorney's review and approval, to contract on behalf of the County of Wayne with Finger Lakes Works in the amount of \$42,545 for the grant period of July 1, 2008 through June 30, 2009.

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

**RESOLUTION NO. 625-08: AUTHORIZATION TO EXECUTE CONTRACT WITH NEW YORK CONNECTS BETWEEN THE WAYNE COUNTY DEPARTMENT OF AGING & YOUTH AND THE DEPARTMENT OF SOCIAL SERVICES**

Mr. Hammond presented the following:

WHEREAS, Wayne County has implemented a Single Point of Information program termed "NY Connects"; and

WHEREAS, the Wayne County Department of Aging & Youth has been named as the lead agency for this endeavor; and

WHEREAS, the possibility of federal financial participation through the Medicaid Program makes having the Commissioner of the local Department of Social Services a logical choice to sign the contract; and

WHEREAS, Wayne County Department of Social Services will function as the fiscal agency for this contract; now, therefore, be it

RESOLVED, that the Commissioner of Wayne County Department of Social Services and the Director of Aging and Youth are hereby authorized to execute the "NY Connects" Contract for the timeframe 10/1/08-9/30/09 in an amount not to exceed \$61,200, subject to the review of the Wayne County Attorney.

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

Mr. Hammond, moved, seconded by Ms. Park, that the first "RESOLVED" clause in

Resolution No. 625-08 be amended to read as follows:

“RESOLVED, that the Commissioner of Wayne County Department of Social Services and the Director of Aging and Youth are hereby authorized to execute the “NY Connects” Contract for the timeframe 10/1/08-9/30/09 in an amount not to exceed \$64,000, subject to the review of the Wayne County Attorney.”

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

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

**RESOLUTION NO. 626-08: AUTHORIZATION TO AMEND CONTRACT FOR TRANSPORTATION SERVICES WITH WAYNE AREA TRANSPORTATION SYSTEM AND AMEND VETERANS SERVICE AGENCY BUDGET**

Mr. Hammond presented the following:

WHEREAS, the Veterans Services Office has anticipated that expenses for Canandaigua Transportation will exceed the amount of \$18,000.00 budgeted for 2008, based upon the increased number of riders; and

WHEREAS, the Veterans Services Office is reviewing the transportation needs and policies for fiscal year 2009 and will be presenting various plans to address this issue in the next few months; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to amend the contract with Wayne Area Transportation System, upon review and approval of the County Attorney, to increase the contract amount an additional \$7,000.00; and

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

**A1990-CONTINGENT FUND GEN**

\$7,000.00 from .54000 Contractual Expense

**A6510-VETERAN SERVICES**

\$7,000.00 to .54400 Contracted Services

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

**RESOLUTION NO. 627-08: AUTHORIZATION TO ESTABLISH WAYNE COUNTY AS “HOME BASE” AT THE WAYNE COUNTY WORKFORCE DEVELOPMENT OFFICES FOR WORKFORCE INVESTMENT BOARD’S APPOINTED DISABILITIES NAVIGATOR**

Mr. Hammond presented the following:

WHEREAS, the WIB (Workforce Investment Board) Grant funded a Seneca County Employee as a Disabilities Navigator that was “home based” in Seneca County last year; and

WHEREAS, this person has left that employment; and

WHEREAS, WIB has hired a Wayne County Resident to take this position September 2008 – June 30, 2009 dependent on grant approval continuation through the WIB; and

WHEREAS, this person will provide assistance to Wayne County residents and will be in the One Stop Center approximately one day per week; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the Disabilities Navigator to be “home based” at the Wayne County Workforce Development Offices, subject to an agreement that is acceptable to the County Attorney.

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

**RESOLUTION NO. 628-08: AUTHORIZATION TO ESTABLISHING A WFD-VETERANS EARMARK 2008 COUNTY BUDGET**

Mr. Hammond presented the following:

WHEREAS, the Workforce Development Office anticipates receipt of Earmark Veterans Grant; and

WHEREAS, a budget is required to track expenditures and revenues; now, therefore, be it RESOLVED, that the 2008 County Budget be amend to establish a department of WFD-Project Veteran Return; and be it further

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

A6218-WFD-PROJECT VETERAN RETURN:

\$85,155.00 to .44489 Earmark Veterans Grant  
\$ 1,170.00 to .51088 E & T Director II  
\$ 3,000.00 to .51123 Account Clerk-Typist  
\$11,238.00 to .51252 Employment & Training Counselor  
\$ 142.00 to .54166 Postage  
\$ 3,288.00 to .54150 Office Supplies  
\$ 575.00 to .54199 Miscellaneous  
\$ 98.00 to .54210 Gas  
\$ 64.00 to .54220 Lights & Power  
\$ 100.00 to .54230 Telephone  
\$ 4.00 to .54240 Water  
\$ 171.00 to .54300 Insurance  
\$ 2,667.00 to .54402 Advertising  
\$ 343.00 to .54407 Building Maintenance and repair  
\$ 320.00 to .54408 Copier and supplies  
\$ 555.00 to .54414 Information Technology  
\$ 345.00 to .54456 Printing  
\$ 1,297.00 to .54485 Travel  
\$54,666.00 to .54572 Individual Training Accounts  
\$ 400.00 to .58100 Payments to NYS Retirement  
\$ 173.00 to .58200 Payments to Social Security  
\$ 770.00 to .58400 Hospitalization  
\$ 469.00 to .58600 Disability

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

**RESOLUTION NO. 629-08: AUDIT OF CLAIMS – September 16, 2008**

Mr. Plant presented the following:

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

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

1. A Fund	\$ 1,345,347.54
2. D Fund	\$ 1,474,098.82
3. DM Fund	\$ 271,876.91
4. E Fund	\$ 250,111.61
5. H Fund	\$ 142,093.50
6. MS Fund	\$ 4,608.00
7. S Fund	\$ 21,543.00
Warrant Total	\$ 3,509,679.38

and be it further

RESOLVED, that the following utilities totaling \$ 111,317.91, processed pursuant to Resolution No. 176-78, are hereby ratified:

1. A Fund	\$ 73,732.44
2. DM Fund	\$ 2,937.97

3. E Fund	\$	34,647.56
Utility Total	\$	111,317.91

and be it further

RESOLVED, that miscellaneous disbursement checks were processed for the following County Departments, totaling \$ 65,400.11, are hereby ratified:

1. Nursing Home	\$	62,616.91
2. Sheriff's Office	\$	150.00
3. Social Services	\$	319.60
4. County Attorney	\$	45.00
5. Wayne Behavioral Health	\$	228.00
6. Aging and Youth	\$	2,040.60
Misc. Disbursement Total	\$	65,400.11

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

**OTHER BUSINESS:**

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

**RESOLUTION NO. 630-08: RESOLUTION CALLING ON THE NEW YORK CONGRESSIONAL DELEGATION TO SUPPORT AN INCREASE IN THE FEDERAL MEDICAL ASSISTANCE PERCENTAGE (FMAP) TO PROVIDE NEW YORK COUNTIES WITH PROPERTY TAX RELIEF**

Mr. Hammond presented the following:

WHEREAS, under Federal Law, local governments are not responsible for any portion of Medicaid funding, however, Congress has given states the ability to require local governments to share in financing the non-federal share of Medicaid costs; and

WHEREAS, the United States Centers for Medicare & Medicaid Services, data demonstrates that no other state in the country financially burdens its localities like New York State; and

WHEREAS, Medicaid represents the largest single program expense in every county budget and siphons away the limited resources needed to fund other critical budgetary needs at the county level; and

WHEREAS, the National Governor's Association (NGA), including Governor Paterson, have supported a proposal for a temporary increase in the federal medical assistance percentage (FMAP) as an economic stimulus option that would provide more federal funding for state Medicaid programs; and

WHEREAS, the NGA has indicated that it would both help to stimulate the nation's economy and shore up the safety net for low-income families; and

WHEREAS, this proposal would provide nearly \$1.6 billion in fiscal relief to New York State, including \$480 million in relief to county government; and

WHEREAS, this FMAP increase would reduce the local Medicaid burden and provide immediate property tax relief to the residents of New York State; now, therefore, be it

RESOLVED, that the New York State Association of Counties (NYSAC) calls upon the New York Congressional Delegation to support an increase in the federal medical assistance percentage (FMAP) to provide New York's local taxpayers with relief from the crushing financial burden of the Medicaid program; and be it further

RESOLVED, that the New York State Association of Counties shall forward copies of this Resolution to the New York State Congressional Delegation, Governor Paterson and all others deemed necessary and proper.

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

**EXECUTIVE SESSION:**

At 7:39 p.m., a motion was made by Mrs. Collier to enter into executive session to discuss proposed litigation and collective negotiations pursuant to Article 14 of the Civil Service Law, seconded by Mr. LeRoy. Upon roll call, carried.

**ADJOURNMENT:**

Motion to come out of executive session and enter back into regular session was made by Mr. LeRoy, seconded by Ms. Park. Vote unanimous.

There being no decision made in executive session and no further business, Mrs. Crane moved, seconded by Ms. Park, that the meeting adjourn at 8:29 p.m. Carried.

The next scheduled meeting of the Board is Tuesday, October 21, 2008 at 9:00 a.m.

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

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