

21st Day  
Tuesday, December 15, 2009  
9:00 a.m.

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

The Pledge of Allegiance was led by Supervisor Fabino, followed by Rev. Jack Bailey giving the invocation.

Chairman Hoffman introduced and welcomed Miss Aviella Winder to today's meeting. Miss Winder sang a patriotic tribute to Supervisor Fabino and Board members, performing 'The Star-Spangled Banner' and 'God Bless America'.

On behalf of the Board, Chairman Hoffman presented a Proclamation of Appreciation to Miss Winder.

Upon roll call, all Supervisors were present.

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

**APPROVAL OF MINUTES:**

Mr. LeRoy moved, seconded by Mrs. Collier, 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		
A13202	County Auditor	950.02
A13254	Treasurer	10,553.29
A13554	Assessment - Real Property Tax	1,309.18
A13644	Expenses on Prop Acquired For	109.76
A16802	Information Technology	1,662.33
A16804	Information Technology	11,097.41
A19104	Unallocated Insurance	1,790.00
A19304	Judgments & Claims	20,578.31
A24904	Community College	<u>96,535.26</u>
		144,585.56

Committee No. 2 Public Safety		
A11654	District Attorney	30,683.00
A11674	Crimes Victims Board Grants	420.51
A11704	Public Defender	5,862.38
A11724	Legal Defense of Indigents	70,832.08
A11734	Wayne Pre-Trial Services, Inc.	9,219.92
A11854	Coroner	7,641.40
A11904	Grand Jury	465.07
A31104	Sheriff	11,417.10
A31112	Sheriff - Recreational Safety	14,500.00
A31114	Sheriff - Recreational Safety	1,610.63
A31134	Sheriff - Juvenile Office	695.53
A31142	Sheriff - Road Patrol	374.75
A31144	Sheriff - Road Patrol	15,146.70
A31152	Sheriff - Detective Unit	2,484.48
A31154	Sheriff - Detective Unit	4,462.47
A31164	Sheriff - Court Security	358.20

A31174	Animal Abuse Investigations	1,045.84
A31404	Probation	7,094.35
A31502	Sheriff - Jail	6,323.23
A31504	Sheriff - Jail	31,640.01
A33154	Stop DWI	3,181.93
A34102	Mutual Aid (Fire Coordinator)	137.50
A34104	Mutual Aid (Fire Coordinator)	56,940.41
A36404	Emergency Management Office	25,176.62
A36424	E911 Communications	7,559.32
A36444	ALS Services	<u>8,864.19</u>
		324,137.62
Committee No. 3 Public Works		
A16154	Buildings & Grounds	39,710.93
A16404	Central Garage	5,369.15
A87304	Soil Conservation	945.00
D50104	Highway Administration	342.67
D50204	Highway Engineering	38.07
D51104	Maintenance of Roads & Bridges	166,263.18
D51122	Road Construction	19,509.45
DM51304	Road Machinery	80,238.56
H19252	Co Bldg Renovation-ONH	<u>26,500.00</u>
		338,917.01
Committee No. 4 Economic Development & Planning		
A63264	Economic Development Admin	35,259.00
A64104	Publicity (Tourism)	1,956.18
A64114	Tourism Matching Funds Program	6,508.11
A80204	Planning Board	3,380.57
A87524	Palmyra Union Ag Society	<u>5,265.00</u>
		52,368.86
Committee No. 5 Government Operations		
A10102	Legislative Board	1,048.00
A10104	Legislative Board	10,860.79
A10404	Clerk Legislative Board	558.88
A12304	County Administration	192.14
A14102	County Clerk	1,077.67
A14104	County Clerk	2,152.90
A14204	County Attorney	995.07
A14304	Human Resources	1,904.17
A14314	Cafeteria Plan	710.70
A14504	Board of Elections	5,743.95
A16704	Undistributed Meter Postage	1,704.00
A16714	Printing Department	1,071.33
A75102	County Historian	3,495.00
A75104	County Historian	55.00
MS17104	Administrative Fees	300.00
S17104	Workmers Comp	<u>21,600.00</u>
		53,469.60
Committee No. 6 Health & Medical Services		
A40104	Public Health	4,812.14
A40112	Public Health Service	3,823.68
A40114	Public Health Service	80,036.80
A40164	PH - Early Intervention 0-1	100,932.17
A40174	PH - Child w/Spec Needs 3-5	430,632.17

A40184	Public Health Education	6,733.83
A40194	Wayne Community Nursing Care	25,666.42
A40204	PH - EMS Coordinator	455.30
A43004	Behavioral Health	98,500.50
A43224	Community Providers	83,332.00
E60002	NH Combined	10,095.69
E60004	NH Combined	<u>405,180.70</u>
		1,250,201.40

Committee No. 7 Human Services

A60104	Administration	63,076.12
A60704	Purchase of Services	6,653.20
A61404	Safety Net	800.00
A62114	Title V Senior Comm. Service	40.88
A62124	WFD/DSS Intensive Employment	781.00
A62144	Economic Opportunity & Develop	328.16
A62164	WFD-DSS TEAP	40.88
A62174	WFD-DSS WAGE SUBSIDY	4,543.37
A62182	WFD-PROJECT VETERAN RETURN	809.00
A62184	WFD-PROJECT VETERAN RETURN	10,732.20
A62894	WIA YOUTH STIMULUS FUNDS	1,944.44
A62924	WFD-APY GRANT	123.20
A62934	WIA Adult	326.83
A62944	WIA Dislocated	913.87
A62954	WIA Youth	553.79
A62964	TANF Summer	837.28
A62994	WFD-Administration	40.88
A65104	Veteran Services	5,421.74
A67724	Area Agency on Aging	60,553.69
A73102	Youth Bureau	4,528.58
A73104	Youth Bureau	3,568.97
A73114	Youth Program - Recreation	1,080.60
		<u>167,698.68</u>
	Total Warrant	2,331,378.73

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:

Sheriff's Reports for the month of November 2009, totaling \$29,982.05 were received and filed.

An e-mail transmission was received from Steven Hancox, Deputy Comptroller of NYS Division of Local Government and School Accountability, regarding results and recommendations for Wayne County's Multi-Year Capital Plan.

A note was received from Supervisor Jim Fabino, thanking Board Members for attending his recent retirement party and expressing that he will miss all the great meetings of the Board.

Notices of Public Hearing were received from the NYS Division of Housing and Community Renewal, scheduled for January 12 and 13, 2010, to obtain views of citizens and other interested parties on the housing and non-housing community development needs of New York communities.

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

A List of Delinquent Taxes for 2009 from the Wayne County Treasurer was received and filed.

Mr. Kelsch moved, seconded by Mr. LeRoy, that the Communications be received and

filed. Upon roll call, carried.

**ANNUAL REPORTS AND FINANCIAL STATEMENTS:**

Comprehensive Annual Financial Report for Wayne County – for Year ended Dec. 31, 2008 - Management Letter

Cornell University Cooperative Extension – Wayne County 2009 Annual Report

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

**SCHEDULED BUSINESS:**

Kyra Yon, CBAPP Director, Wayne County Action Program, Inc.

Community Based Adolescent Pregnancy Prevention Program

**PROCLAMATIONS, AWARDS AND ACKNOWLEDGEMENTS:**

- Wayne Central Girls Varsity Volleyball Team  
Finger Lakes East League Champions  
Section V Class B Champions
- Wayne Central Cross Country Team  
Finger Lakes East League Champions & NYSPHSAA Scholar- Athlete Team
- Clyde-Savannah Lady Eagles Tennis Team  
Section V Champions
- Lady Lions Volleyball Team  
Section V Class DDD Sectional Volleyball Champions  
Class D Section V Playoff Winners and State Representatives
- Red Creek Rams Boys Soccer Team  
Section V Class CC Champions  
NYS Class C Soccer Representatives
- Coach Donald J. Hartley – Acknowledgement of Accomplishment

Proclamations of Appreciation

Susan Pullen - 35 Years of Service

Michael Thoms - 39 Years of Service

2009 Mildred Taylor-Daniel Kane Award

Marjory Allen Perez

**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 announced the upcoming retirements of Supervisors James Fabino and Dave Lyon; and on behalf of the Board, wished them a happy and healthy retirement.

The Chairman called for a short recess to congratulate them at 10:00 a.m.

**RESOLUTION NO. 872-09: AUTHORIZATION TO AMEND THE SOCIAL SERVICES BUDGET**

Mr. Hammond presented the following:

WHEREAS, the Wayne County has been advised that it will be required to pay reconciled amounts for prior years State Training School obligations; and

WHEREAS, the amount of these obligations exceed the amount encumbered in prior years and budgeted for 2009; and

WHEREAS, there are funds available in the Medicaid account because of the implementation of the temporary reduction of the county's Medicaid obligations; now therefore be it

RESOLVED, that the County Treasurer is authorized to make the following budget adjustments:

Medicaid

Reduce Appropriations Object Account A61004.54000 (Contractual Expenses) by \$400,000 from \$13,391,000 to \$12,991,000

State Training School

Increase Contractual Expenses Object Account A61294.54000 (Contractual Expenses) by \$400,000 from \$1,460,063.45 to \$1,860,063.45

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

**RESOLUTION NO. 873-09: YOUTH BUDGET MODIFICATIONS AND AUTHORIZATION TO PURCHASE**

Mr. Hammond presented the following:

WHEREAS, the Department of Aging and Youth received notification of the Office of Children and Family Services 2009 final allocations and is requesting authorization to modify the County budget to reflect those changes by increasing the state revenue line and purchasing items in order to maximize the state revenue reimbursement, and

WHEREAS, the Director is requesting a laptop computer with docking station in order to work outside of the office setting and a brochure rack for the office waiting area to display youth programs/resources, and

WHEREAS, K-Log provided the lowest quote of \$213 for an eighteen pocket display rack, therefore be it

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to make the following modifications to the following accounts,

A7310-YOUTH BUREAU:

\$1,077.00 to .52201 Computers

\$ 213.00 to .52200 Office Equipment

\$1,290.00 from .54400 Contracted Services

and further be it

RESOLVED, that the Director is authorized to purchase a HP Compaq 6535b Notebook PC, HP basic docking station 120W, HPLA 1905wg 19 inch monitor, keyboard and mouse for the total cost of \$1,077 and a 18 pocket display rack from K-Log for \$213.

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

**RESOLUTION NO. 874-09: AUTHORIZATION FOR BUDGET MODIFICATION TO A7311 YOUTH RECREATION PROGRAM AND PURCHASE SIGN**

Mr. Hammond presented the following:

WHEREAS, a sign identifying the Sodus Point Beach is needed; and

WHEREAS, the Lettering Lounge submitted the lowest bid with the most durable material; and

WHEREAS, the following budget modification are recommended to maximize the state revenue reimbursement; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to make the following modifications to the following accounts:

A7311-RECREATION (YOUTH PROGRAM)

\$1,000.00 from .51459 Director- Recreation

\$1,000.00 from .51461 Lifeguards

\$2,000.00 to .54100 Supplies & Materials

and further be it

RESOLVED, that the director is hereby authorized to purchase one (1) 3' x 4' sign w/pressure treated post for \$316.00.

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

call, adopted.

**RESOLUTION NO. 875-09: AUTHORIZE DEPARTMENT OF AGING AND YOUTH BUDGET MODIFICATIONS AND PURCHASING EQUIPMENT**

Mr. Hammond presented the following:

WHEREAS, the Department of Aging and Youth is requesting authorization to purchase a brochure rack to display senior citizens programs and other appropriate resource information for in the office waiting area, and

WHEREAS, K-Log Company provided the lowest bid of \$213 for an eighteen pocket display rack, now therefore be it

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to make the following modifications to the following accounts:

A6772-AREA AGENCY ON AGING:

\$213.00 to .52200 Office Equipment

\$213.00 from .54456 Printing

and be it further

RESOLVED, that the Aging and Youth Director is hereby authorized to purchase the 18 pocket display rack at the cost of \$213.

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

**RESOLUTION NO. 876-09: AUTHORIZATION TO APPOINT MEMBERS 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 Workforce Investment Board members must be appointed by the respective Legislative Boards; and

WHEREAS, the Executive Director has solicited nominations in accordance with the Law; and

WHEREAS, the Finger Lakes Workforce Investment Board By-Laws state voting members shall be appointed for terms of three (3) years, and that terms shall be staggered; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors does hereby re-appoint the following representatives to the Finger Lakes Workforce Investment Board to fill a three year term from July 1, 2009 through June 30, 2012:

Mike Mandina (Wayne County) (Optimax)

Kelly Bean (Wayne County) (Parker Hannifin)

Dawn Edwards (Wayne County) (Reliant)

Annette Leahy (Wayne County) (Newark-Wayne)

and be it further

RESOLVED, that Cindy Marushak (Wayne County appointment, Garlock) be appointed to fill an unexpired term of Barbara Egenhofer through June 30, 2010 and a three year term beginning July 1, 2010 to June 30, 2013; and be it further

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

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

**RESOLUTION NO. 877-09: AUTHORIZATION TO THE MENTAL HEALTH DEPARTMENT TO RENEW ITS ANNUAL CONTRACT WITH ASSOCIATION FOR THE BLIND AND**

**VISUALLY IMPAIRED (ABVI-LIFELINE-211)**

Ms. Park presented the following:

WHEREAS, the Mental Health Department wishes to renew its annual contract for the 2010 budget year with the following organization for the purposes of the continued provision of mental hygiene related services and for disbursement of New York State and/or Wayne County funding in the following amount:

Association for the Blind and Visually Impaired (ABVI-Lifeline-211)      \$24,927

Now, therefore, be it

RESOLVED, that the Mental Health Department and the Chairman of the Board are authorized to contract with the above noted provider for the provision of mental hygiene services, not to exceed the listed funding amount in accordance with the 2010 State funding award amount including any county funding as noted, and also any plus/minus adjusted amount based on prior year state funding closeout reconciliations, and the contract being subject to the County Attorneys review as to form and content, and the passage of the 2010 County Budget.

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

**RESOLUTION NO. 878-09: AUTHORIZATION TO THE MENTAL HEALTH DEPARTMENT TO RENEW ITS ANNUAL CONTRACT WITH FINGER LAKES PARENT NETWORK**

Ms. Park presented the following:

WHEREAS, the Mental Health Department wishes to renew its annual contract for the 2010 budget year with the following organization for the purposes of the continued provision of mental hygiene related services and for disbursement of New York State and/or Wayne County funding in the following amount:

Finger Lakes Parent Network      \$28,269

now, therefore, be it

RESOLVED, that the Mental Health Department and the Chairman of the Board are authorized to contract with the above noted provider for the provision of mental hygiene services, not to exceed the listed funding amount in accordance with the 2010 State funding award amount including any county funding as noted, and also any plus/minus adjusted amount based on prior year state funding closeout reconciliations, and the contract being subject to the County Attorneys review as to form and content, and the passage of the 2010 County Budget.

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

**RESOLUTION NO. 879-09: AUTHORIZATION TO THE MENTAL HEALTH DEPARTMENT TO RENEW ITS ANNUAL CONTRACT WITH LAKEVIEW MENTAL HEALTH SERVICES**

Ms. Park presented the following:

WHEREAS, the Mental Health Department wishes to renew its annual contract for the 2010 budget year with the following organization for the purposes of the continued provision of mental hygiene related services and for disbursement of New York State and/or Wayne County funding in the following amount:

Lakeview Mental Health Services      \$93,354

now, therefore, be it

RESOLVED, that the Mental Health Department and the Chairman of the Board are authorized to contract with the above noted provider for the provision of mental hygiene services, not to exceed the listed funding amount in accordance with the 2010 State funding award amount including any county funding as noted, and also any plus/minus adjusted amount based on prior year state funding closeout reconciliations, and the contract being subject to the County Attorneys review as to form and content, and the passage of the 2010 County Budget.

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

**RESOLUTION NO. 880-09: AUTHORIZATION TO THE MENTAL HEALTH DEPARTMENT TO RENEW ITS ANNUAL CONTRACT WITH: UNITY HOUSE OF CAYUGA**

Ms. Park presented the following:

WHEREAS, the Mental Health Department wishes to renew its annual contract for the 2010 budget year with the following organization for the purposes of the continued provision of mental hygiene related services and for disbursement of New York State and/or Wayne County funding in the following amount:

Unity House of Cayuga           \$114,655

RESOLVED, that the Mental Health Department and the Chairman of the Board are authorized to contract with the above noted provider for the provision of mental hygiene services, not to exceed the listed funding amount in accordance with the 2010 State funding award amount including any county funding as noted, and also any plus/minus adjusted amount based on prior year state funding closeout reconciliations, and the contract being subject to the County Attorneys review as to form and content, and the passage of the 2010 County Budget.

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

**RESOLUTION NO. 881-09: AUTHORIZATION TO THE MENTAL HEALTH DEPARTMENT TO RENEW ITS ANNUAL CONTRACT WITH: WAYNE ASSOCIATION FOR RETARDED CITIZENS – WAYNE ARC**

Ms. Park presented the following:

WHEREAS, the Mental Health Department wishes to renew its annual contract for the 2010 budget year with the following organization for the purposes of the continued provision of mental hygiene related services and for disbursement of New York State and/or Wayne County funding in the following amount:

Wayne Association for Retarded Citizens  
Wayne ARC   \$248,036 (State)   \$14,768 (County)   TOTAL: \$262,804  
now, therefore, be it

RESOLVED, that the Mental Health Department and the Chairman of the Board are authorized to contract with the above noted provider for the provision of mental hygiene services, not to exceed the listed funding amount in accordance with the 2010 State funding award amount including any county funding as noted, and also any plus/minus adjusted amount based on prior year state funding closeout reconciliations, and the contract being subject to the County Attorneys review as to form and content, and the passage of the 2010 County Budget.

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

**RESOLUTION NO. 882-09: AUTHORIZATION TO THE MENTAL HEALTH DEPARTMENT TO RENEW ITS ANNUAL CONTRACT WITH WAYNE COUNTY DEPARTMENT OF AGING & YOUTH**

Ms. Park presented the following:

WHEREAS, the Mental Health Department wishes to renew its annual contract for the 2010 budget year with the following organization for the purposes of the continued provision of mental hygiene related services and for disbursement of New York State and/or Wayne County funding in the following amount:

Wayne County Department of Aging & Youth           \$38,436  
now, therefore, be it

RESOLVED, that the Mental Health Department and the Chairman of the Board are authorized to contract with the above noted provider for the provision of mental hygiene

services, not to exceed the listed funding amount in accordance with the 2010 State funding award amount including any county funding as noted, and also any plus/minus adjusted amount based on prior year state funding closeout reconciliations, and the contract being subject to the County Attorneys review as to form and content, and the passage of the 2010 County Budget.

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

**RESOLUTION NO. 883-09: AUTHORIZATION TO THE MENTAL HEALTH DEPARTMENT TO RENEW ITS ANNUAL CONTRACT WITH WAYNE COUNTY ACTION PROGRAM**

Ms. Park presented the following:

WHEREAS, the Mental Health Department wishes to renew its annual contract for the 2010 budget year with the following organization for the purposes of the continued provision of mental hygiene related services and for disbursement of New York State and/or Wayne County funding in the following amount:

Wayne County Action Program                      \$53,476

now, therefore, be it

RESOLVED, that the Mental Health Department and the Chairman of the Board are authorized to contract with the above noted provider for the provision of mental hygiene services, not to exceed the listed funding amount in accordance with the 2010 State funding award amount including any county funding as noted, and also any plus/minus adjusted amount based on prior year state funding closeout reconciliations, and the contract being subject to the County Attorneys review as to form and content, and the passage of the 2010 County Budget.

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

**RESOLUTION NO. 884-09: AUTHORIZATION TO THE MENTAL HEALTH DEPARTMENT TO RENEW ITS ANNUAL CONTRACT WITH EPILEPSY ASSOCIATION**

Ms. Park presented the following:

WHEREAS, the Mental Health Department wishes to renew its annual contract for the 2010 budget year with the following organization for the purposes of the continued provision of mental hygiene related services and for disbursement of New York State and/or Wayne County funding in the following amount:

Epilepsy Association                                      \$2,885

now, therefore, be it

RESOLVED, that the Mental Health Department and the Chairman of the Board are authorized to contract with the above noted provider for the provision of mental hygiene services, not to exceed the listed funding amount in accordance with the 2010 State funding award amount including any county funding as noted, and also any plus/minus adjusted amount based on prior year state funding closeout reconciliations, and the contract being subject to the County Attorneys review as to form and content, and the passage of the 2010 County Budget.

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

**RESOLUTION NO. 885-09: AUTHORIZATION TO THE MENTAL HEALTH DEPARTMENT TO RENEW ITS ANNUAL CONTRACT WITH CATHOLIC FAMILY CENTER – HANNICK HALL**

Ms. Park presented the following:

WHEREAS, the Mental Health Department wishes to renew its annual contract for the 2010 budget year with the following organization for the purposes of the continued provision of

mental hygiene related services and for disbursement of New York State and/or Wayne County funding in the following amount:

Catholic Family Center – Hannick Hall \$619,071  
now, therefore, be it

RESOLVED, that the Mental Health Department and the Chairman of the Board are authorized to contract with the above noted provider for the provision of mental hygiene services, not to exceed the listed funding amount in accordance with the 2010 State funding award amount including any county funding as noted, and also any plus/minus adjusted amount based on prior year state funding closeout reconciliations, and the contract being subject to the County Attorneys review as to form and content, and the passage of the 2010 County Budget.

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

**RESOLUTION NO. 886-09: AUTHORIZATION TO THE MENTAL HEALTH DEPARTMENT TO RENEW ITS ANNUAL CONTRACT WITH COUNCIL ON ALCOHOLISM OF THE FINGER LAKES**

Ms. Park presented the following:

WHEREAS, the Mental Health Department wishes to renew its annual contract for the 2010 budget year with the following organization for the purposes of the continued provision of mental hygiene related services and for disbursement of New York State and/or Wayne County funding in the following amount:

Council on Alcoholism of the Finger Lakes \$185,960  
now, therefore, be it

RESOLVED, that the Mental Health Department and the Chairman of the Board are authorized to contract with the above noted provider for the provision of mental hygiene services, not to exceed the listed funding amount in accordance with the 2010 State funding award amount including any county funding as noted, and also any plus/minus adjusted amount based on prior year state funding closeout reconciliations, and the contract being subject to the County Attorneys review as to form and content, and the passage of the 2010 County Budget.

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

**RESOLUTION NO. 887-09: AUTHORIZATION TO THE MENTAL HEALTH DEPARTMENT TO RENEW ITS ANNUAL CONTRACT WITH DELPHI DRUG & ALCOHOL COUNCIL**

Ms. Park presented the following:

WHEREAS, the Mental Health Department wishes to renew its annual contract for the 2010 budget year with the following organization for the purposes of the continued provision of mental hygiene related services and for disbursement of New York State and/or Wayne County funding in the following amount:

Delphi Drug & Alcohol Council \$395,725 (State) \$7,750 (County) TOTAL: \$403,475  
now, therefore, be it

RESOLVED, that the Mental Health Department and the Chairman of the Board are authorized to contract with the above noted provider for the provision of mental hygiene services, not to exceed the listed funding amount in accordance with the 2010 State funding award amount including any county funding as noted, and also any plus/minus adjusted amount based on prior year state funding closeout reconciliations, and the contract being subject to the County Attorneys review as to form and content, and the passage of the 2010 County Budget.

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

**RESOLUTION NO. 888-09: AUTHORIZATION TO THE MENTAL HEALTH DEPARTMENT TO RENEW ITS ANNUAL CONTRACT WITH FINGER LAKES ADDICTIONS AND REFERRAL AGENCY (FLACRA)**

Ms. Park presented the following:

WHEREAS, the Mental Health Department wishes to renew its annual contract for the 2010 budget year with the following organization for the purposes of the continued provision of mental hygiene related services and for disbursement of New York State and/or Wayne County funding in the following amount:

FLACRA \$1,107,288 (State) \$69,602 (County) TOTAL: \$1,176,890

now, therefore, be it

RESOLVED, that the Mental Health Department and the Chairman of the Board are authorized to contract with the above noted provider for the provision of mental hygiene services, not to exceed the listed funding amount in accordance with the 2010 State funding award amount including any county funding as noted, and also any plus/minus adjusted amount based on prior year state funding closeout reconciliations, and the contract being subject to the County Attorneys review as to form and content, and the passage of the 2010 County Budget.

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

**RESOLUTION NO. 889-09: AUTHORIZATION TO AMEND THE 2009 BUDGET FOR THE MENTAL HEALTH DEPARTMENT COMMUNITY PROVIDERS**

Ms. Park presented the following:

WHEREAS, based upon revisions to the State Aid funding awards for various community mental hygiene service providers, the Mental Health Department is in need of amending the 2009 budget to reflect those funding revisions which involve the following providers, and do not have any impact on county related costs:

**A43224 Community Providers**

54640	Lifeline-ABVI	from \$24,920 to \$24,927
54686	Finger Lakes Parent Network	from \$24,262 to \$24,269
54614	Lakeview Mental Health	from \$59,629 to \$93,720
54685	Unity House of Cayuga	from \$106,919 to \$109,292
54697	Wayne County Action Program	from \$53,464 to \$53,476
54612	Catholic Family Center	from \$519,071 to \$619,071;

now, therefore be it

RESOLVED, that the Chairman of the Board is authorized as necessary to amend the county contracts with the above noted providers subject to the County Attorneys review as to form and content; and further

RESOLVED, that the County Treasurer is directed to amend the 2009 County Budget as follows:

**A4322-COMMUNITY PROVIDERS:**

\$	7.00 to .43504 Lifeline
\$	7.00 to .43607 FL Parent Network
\$	34,091.00 to .43614 Lakeview Mental Health
\$	2,373.00 to .43485 Unity House
\$	12.00 to .43526 Wayne CAP
\$100,000.00	to .43615 Catholic Fam Ctr-Hannick Hall
\$	7.00 to .54640 Lifeline
\$	7.00 to .54686 Finger Lakes Parent Network
\$	34,091.00 to .54614 Lakeview Mental Health
\$	2,373.00 to .54685 Unity House
\$	12.00 to .54697 Wayne CAP
\$100,000.00	to .54612 Catholic Fam Ctr-Hannick Hall

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

call, adopted.

**RESOLUTION NO. 890-09: AUTHORIZATION TO SOLICIT REQUESTS FOR PROPOSALS FOR REHABILITATION SERVICES FOR THE WAYNE COUNTY NURSING HOME**

Ms. Park presented the following:

WHEREAS, the contract between Rehab Resources and the Wayne County Nursing Home expires on March 31, 2010; and

WHEREAS, the Wayne County Nursing Home has to solicit requests proposals for the provision of rehab services; now, therefore, be it

RESOLVED, that the Wayne County Nursing Home Administrator is hereby authorized and directed to solicit requests for proposals for rehab services in accordance with specifications prepared by the Nursing Home Administrator, and approved by the County Attorney as to content and form.

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

**RESOLUTION NO. 891-09: AUTHORIZE AGREEMENT BETWEEN WAYNE COUNTY NURSING HOME AND GROUP WORKCAMPS FOUNDATION – 2010 WEEK OF HOPE PARTNER ORGANIZATION**

Ms. Park presented the following:

WHEREAS, the Group Workcamps Foundation Week of Hope Partner Organization has been providing volunteers for service projects; and

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

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

WHEREAS, the Wayne County Nursing Home desires to utilize volunteers for gardening and landscape projects for the Summer of 2010; now, therefore, be it

RESOLVED, to authorize the Chairman of the Board of Supervisors to sign said Agreement with Group Workcamps Foundation Week of Hope Partner Organization for the purpose of providing volunteers for service project during the Summer of 2010, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 892-09: AUTHORIZATION TO AMEND 2009 BUDGET AND PURCHASE EQUIPMENT FOR EARLY INTERVENTION**

Ms. Park presented the following:

WHEREAS, Early Intervention Stimulus funding is available to support administrative activities; and

WHEREAS, a printer is needed to replace a mal-functioning printer; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized and directed to purchase a printer at a cost not to exceed \$550, and be it further

RESOLVED, that the 2009 budget in amended as follows:

**Add \$550 to 40162.52201EI**

**Add \$550 to 40160.44625EI**

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

**RESOLUTION NO. 893-09: AUTHORIZATION TO EXECUTE CONTRACT WITH CLERK TO ASSIST WITH H1N1 CLINICS**

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) will be conducting several H1N1

influenza clinics in the fall of 2009 through the spring of 2010; and

WHEREAS, WCPH would like to contract with Jennie Sedore to provide clerical assistance at such clinics; and

WHEREAS, Ms. Sedore would be responsible for assisting with setting up and tearing down clinics, data entry of clinic attendance into a database, registration of attendees, and promoting optimal flow of the clinic; and

WHEREAS, the County has agreed to waive the insurance indemnification requirement; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract with Ms. Jennie Sedore, 8581 York Settlement Road, Sodus, NY 14551, to provide clerical assistance at H1N1 clinics and attend planning meetings at a rate of \$15.00 per hour worked, not to exceed \$9000, with the approval from the County attorney as to form and content.

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

**RESOLUTION NO. 894-09: AUTHORIZATION TO EXECUTE CONTRACT WITH GENESEE REGION HOME CARE INC OF ONTARIO D/B/A HOME CARE PLUS. FOR MEDICAL SOCIAL WORKER FOR WAYNE COUNTY PUBLIC HEALTH**

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) is required to provide Medical Social Worker (MSW) services per our Operating Certificate; and

WHEREAS, Home Care Plus is able to provide a licensed professional to provide such services at a rate of \$90.00 per home care visit; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract with Home Care Plus, 3111 Winton Road South, Rochester, NY 14623, to provide Medical Social Work services for Wayne County Public Health at a rate not to exceed \$6000 for the period January 1, 2010 to December 31, 2011, with the approval from the County Attorney as to form and content.

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

**RESOLUTION NO. 895-09: AUTHORIZATION TO AMEND PUBLIC HEALTH BUDGET AND PURCHASE HOMELAND SECURITY EQUIPMENT**

Ms. Park presented the following:

WHEREAS, the Public Health department has received funding for homeland security initiatives including the purchase of medical equipment, and

WHEREAS, the Public Health emergency preparedness program wishes to purchase three Medtronic defibrillators capable of serving pediatric and adult population, to be placed in the 911 office, emergency preparedness office and public health dept., now, therefore, be it

RESOLVED that the County Treasurer is hereby authorized and directed to amend the 2009 Public Health Services budget as follows:

Increase 40112.52200BIO by \$6150

Increase 40110.44638BIO by \$6150

and be it, further

RESOLVED that the Public Health Director is hereby authorized and directed to purchase three defibrillators at a cost not to exceed \$6,150.

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

**RESOLUTION NO. 896-09: AUTHORIZING CONTRACT RENEWAL WITH BUILDING BLOCKS COMPREHENSIVE SERVICES, INC. FOR CERTIFIED HOME HEALTH AGENCY (CHHA)**

Ms. Park presented the following:

WHEREAS, Wayne County Public Health 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 Board of Supervisors is hereby authorized to execute a renewal contract

with Kelly Bateman d/b/a Building Blocks Comprehensive Services, Inc. on behalf of 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 1/1/10 – 12/31/10 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. Crane moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

**RESOLUTION NO. 897-09: AUTHORIZATION TO RENEW CONTRACTS FOR SERVICES FOR THE CERTIFIED HOME HEALTH AGENCY**

Ms. Park presented the following:

WHEREAS, the County Health Department needs to contract services for the patients in the Certified Home Health Agency (CHHA); and

WHEREAS, the following providers are licensed professionals who are and have been able 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 renewed contracts on behalf of the County of Wayne and the CHHA subject to the providers being currently in compliance with the County's insurance requirements and the County Attorney's approval as to form and content, pending approval of the 2010 county budget, with the following during the period 1/01/10 – 12/31/10:

1. Herold, Deborah, Physical Therapist at a cost of \$77.00 per patient visit, \$82 per weekend visit, \$20 per in-service.

2. Battle, Patricia, Occupational Therapist at a cost of \$77 per weekday visit, \$82 per weekend visit, \$20 per in-service.

3. Patricia Chapin, Physical Therapist at a cost of \$77 per patient visit, \$82 per weekend visit, \$20 per in-service training

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

**RESOLUTION NO. 898-09: AUTHORIZATION TO RENEW CONTRACT WITH REGISTERED DIETICIAN FOR WAYNE COUNTY PUBLIC HEALTH**

Ms. Park presented the following:

WHEREAS, Wayne County Public Health, per Section 85.40 of 10 NYCRR, in order to operate a MOMS program (Medicaid Obstetrical and Maternal Services Health Supportive Services) we must contract with a Registered Dietician; and

WHEREAS, this Registered Dietician will provide professional nutritional counseling, monitoring/follow-up of at-risk women and documentation of nutritional assessment, risk status and nutrition care plan to the MOMS provider; and

WHEREAS, Geraldine Morse at 3260 Sand Hill Rd., Marion, NY 14505 has agreed to provide such service for a fee of not more than \$40 per hour including mileage; now, therefore, be it

RESOLVED the Chairman of the Board of Supervisors is hereby authorized and directed to execute a renewed contract, subject to the County Attorney's approval as to form and content, with Geraldine Morse, RD on behalf of the County of Wayne for the period January 1,

2010 to December 31, 2010 at a rate of \$40 per hour not to exceed \$2,000 per year, pending approval of the 2010 County Budget.

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

**RESOLUTION NO. 899-09: AUTHORIZATION TO RENEW CONTRACT WITH UNIVERSITY OF ROCHESTER PULMONARY AND CRITICAL CARE UNIT**

Ms. Park presented the following:

WHEREAS, the County currently contracts with the University of Rochester Pulmonary and Critical Care Unit with Dr. Mark Frampton providing services to Wayne County Public Health Services as the Tuberculosis (TB) Program physician/consultant; and

WHEREAS, on behalf of the University of Rochester, Dr. Frampton holds an on-site TB clinic every month to see Wayne County residents; and

WHEREAS, the University of Rochester has agreed to renew the contract and receive a minimum of \$896.41 per clinic for a total not to exceed \$10,500 per year; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an agreement with the University of Rochester Pulmonary and Critical Care Unit on behalf of the County of Wayne, at a rate of \$896.41 per clinic for a total not to exceed \$10,500 per year, subject to the County Attorney's approval as to form and content, for the period January 1 2010 to December 31, 2010, pending approval of the 2010 County Budget.

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

**RESOLUTION NO. 900-09: AUTHORIZATION TO APPOINT BOARD MEMBER TO WAYNE COUNTY HEALTH CARE PLAN TRUST EFFECTIVE JANUARY 1, 2010**

Mrs. Collier presented the following:

WHEREAS, Supervisor David C. Lyon will retire from Public Service on December 31, 2009; and

WHEREAS, Supervisor Lyon is a member of the Wayne County Health Care Plan Trust and his participation in the Plan as a voting member will end, effective December 31, 2009; and

WHEREAS, Supervisor David Spickerman is a member of the Government Operations Committee of Wayne County which oversees Insurance information; and

WHEREAS, the Town of Butler employees are current participants in the Wayne County Health Care Plan Trust; now, therefore, be it

RESOLVED, that effective January 1, 2010, Supervisor Dave Spickerman shall hereby fill the vacancy on the Wayne County Health Care Plan Trust created by Supervisor Lyon leaving Public Service.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, all Supervisors voted Aye. Supervisor Spickerman abstained from voting. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 901-09: AUTHORIZATION TO ABOLISH THE POSITION OF CHIEF DEPUTY (CORRECTIONS) AND ESTABLISH THE POSITION OF CORRECTIONS MAJOR IN THE SHERIFF'S DEPARTMENT**

Mrs. Collier presented the following:

WHEREAS, the Sheriff's command structure has included the position of Chief Deputy in charge of the Corrections Facility; and

WHEREAS, that Chief Deputy position is currently vacant; and

WHEREAS, the Sheriff desires to replace the vacant position with a new title of Corrections Major, a managerial/confidential position; and

WHEREAS, the Director of Human Resources has determined that this new title can be established in the competitive class in conformance with Civil Service Law and the Wayne

County Civil Service Rules, subject to the approval of New York State Civil Service; and  
WHEREAS, the title of Corrections Major will be paid at the same rate established by the Board of Supervisors for the Chief Deputy (Corrections); now, therefore, be it  
RESOLVED, that the position of Chief Deputy (Corrections) is hereby abolished, and the title of Corrections Major is established.

Mrs. Collier moved, seconded by Mr. Plant that the "RESOLVED" clause be amended as follows:

"RESOLVED, that the position of Chief Deputy (Corrections) is hereby abolished, and the title of Corrections Major is established, effective January 1, 2010."

Motion carried.

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

**RESOLUTION NO. 902-09: ADOPTING INTERNAL REVENUE SERVICE MILEAGE RATE AS COUNTY MILEAGE ALLOWANCE FOR 2010**

Mrs. Collier presented the following:

WHEREAS, the IRS has issued it's per mile rate allowed for reimbursement for standard mileage at .50 cents per mile, down from .55 cents per mile in 2009; and

WHEREAS, Wayne County has negotiated with its unions the use of an approved IRS rate per mile for reimbursement to employees on approved County business; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby approves the per mile rate of .50 cents, effective January 1, 2010, for all County approved travel reimbursement.

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

**RESOLUTION NO. 903-09: MAKING A DETERMINATION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT**

Mr. Spickerman presented the following:

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQRA Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State, being 6 NYCRR Part 617, as amended (the "Regulations"), the Wayne County Board of Supervisors (the "Board") desires to determine whether the following action may have a "significant effect on the environment" (as said quoted term is defined in the SEQRA Act and the Regulations) and therefore require the preparation of an environmental impact statement: An action to continue to expand the Wayne County Snowmobile Trail Network from one hundred fifty four miles (154) to two hundred twenty miles (220) miles on private and public lands throughout Wayne County (the "Project"); and

WHEREAS, to aid the Board in determining whether the Project may have a significant effect on the environment, the County Planning Director has caused to be prepared an Environmental Assessment Form (the "EAF"), a copy of which is on file with the Clerk of the Board of Supervisors; and

WHEREAS, the County has examined the EAF in order to make a determination as to the potential environmental significance of the Project; now, therefore, be it  
RESOLVED, as follows:

1. Based upon examination of the EAF, and based further upon the Board's knowledge of the area surrounding the Project and such further investigation of the Project and its environmental effects as the County has deemed appropriate, the Board makes the following findings with respect to the Project:
  - (a) the Project consists of those components described in the first "Whereas" clause of this resolution; and

- (b) there are no known potentially significant impacts on the environment other than those noted in and addressed and/or mitigated by the County as set forth in the EAF.
2. Based upon the foregoing investigation of the potential environmental impacts of the Project and considering both the magnitude and importance of each environmental impact therein indicated, the Board makes the following findings and determinations with respect to the Project:
    - (a) the Project constitutes an Unlisted Action (as defined in the Regulations); and
  3. The Project will not result in any large and important impacts and, therefore, is one which will not have a significant effect on the environment, and the Board will not require an environmental impact statement with respect to the Project; and
  4. This determination constitutes a negative declaration for the purposes of the SEQR Act; and
  5. The County Planning Director is hereby directed to file a negative declaration with respect to the Project; and
  6. A copy of the negative declaration shall be filed in the Office of the Clerk of the Board of Supervisors and shall be available for public review.
- Mr. Kelsch moved the adoption of the resolution. Seconded by Mr. Lauderdale. Upon roll call, adopted.

**RESOLUTION NO. 904-09: AUTHORIZING ADMINISTRATIVE AGREEMENT WITH WESTERN FINGER LAKES SOLID WASTE MANAGEMENT AUTHORITY**

Mr. Spickerman presented the following:

WHEREAS, the Western Finger Lakes Solid Waste Management Authority developed a contract for administrative services provided by the Director of Planning, with Wayne County, which will expire on December 31, 2009; now, therefore be it

RESOLVED, that the Chairman of the Board be authorized to execute an agreement, subject to approval of the County Attorney as to form and content, for the period 1/1/10 - 12/31/10 under the same terms and conditions contained in the current contract.

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

**RESOLUTION NO. 905-09: AMEND 2009 PLANNING BUDGET AND TRANSFER FUNDS**

Mr. Spickerman presented the following:

WHEREAS, the 2009 Planning Department budget included estimated revenues and expenses for the NYS Snowmobile Grant Program in the amount of \$32,755; and

WHEREAS, the program was funded in the actual amount of \$60,518.37; and

WHEREAS, a check in the amount of \$42,892.50 was received by Wayne County and deposited on December 19, 2008, but to be used to offset expenses incurred in 2009; and

WHEREAS, because these funds remained unexpended at the close of 2008, they were rolled into the fund balance; and

WHEREAS, this caused a deficit in the accounts dedicated to the snowmobile grant program in the amount of \$27,763.37; now, therefore, be it

RESOLVED, that the County Treasurer amend the 2009 Planning Department Budget by transferring \$27,763.37 from the General Fund balance to:

Account No. A8020 – PLANNING BOARD

Increase A80204.54191 (Snowmobile Expense) in the amount of \$27,763.37

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

**RESOLUTION NO. 906-09: AUTHORIZING AMENDMENT OF THE 2009 PLANNING DEPARTMENT BUDGET**

Mr. Spickerman presented the following:

WHEREAS, Wayne County has been awarded \$70,000 for the Wayne County Northern

Corridor Rail Trail Project through the Recreational Trails Program of the U.S. Department of Transportation; and

WHEREAS, funds from this grant will be used to replace an old railroad bridge in the Village of Red Creek so snowmobiles may travel safely along the trail, which connects to Cayuga County; and

WHEREAS, the Wayne County Highway Department is installing the bridge and the Lakeshore Snow Devils snowmobile club provided a donation of \$5,000 to cover any costs associated with the purchase and installation of the bridge should they exceed \$70,000; now, therefore be it

RESOLVED, that the County Treasurer amend the Planning Department Budget as follows:

Establish Revenue Account A80204.42770 Miscellaneous in the amount \$5,000.

Establish Revenue Account A80204.43723 Red Creek Railroad Bridge in the amount of \$70,000

Establish Appropriation Account A80204.54523 Red Creek Railroad Bridge in the amount of \$75,000

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

**RESOLUTION NO. 907-09: AUTHORIZE JOINT MUNICIPAL IMPROVEMENT PROJECT FOR THE TOWN OF ONTARIO**

Mr. Spickerman presented the following:

WHEREAS, pursuant to Resolution No. 232(73), as amended by Resolution No. 263(73) and Resolution No. 291(73), the Board of Supervisors has established a Joint Municipal Improvement Project Fund which provides County funding for a portion of the cost of approved Town or Village improvement projects for development of public facilities related to retail business activity; and

WHEREAS, the Town of Ontario has requested the County to provide funding from the Joint Municipal Improvement Project for a sidewalk replacement project along the east side of Knickerbocker Road connecting Route 104 with the Hamlet of Ontario; and

WHEREAS, this project is consistent with the intent of the Joint Municipal Improvement Fund; and

WHEREAS, the project is also consistent with the Ontario Business Improvement District's recently completed Downtown Vision Plan; and

WHEREAS, the total project cost is estimated to be \$60,000 with the Town of Ontario contributing \$40,000 in cash; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes funding from the Joint Municipal Improvement Project for the Town of Ontario in the amount of one-third the total project cost or \$20,000, whichever is less.

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

**RESOLUTION NO. 908-09: AUTHORIZE PROPOSAL FOR WESTERN ERIE CANAL ALLIANCE AND PLANNING DEPARTMENT PARTICIPATION IN THE WESTERN ERIE CANAL MAIN STREET PROGRAM**

Mr. Spickerman presented the following:

WHEREAS, Resolution 428-08 authorized Wayne County to serve as the sponsor for a grant application to the NYS Environmental Protection Fund Local Waterfront Revitalization Program (LWRP) to continue the Western Erie Canal Main Street Program begun by the Western Erie Canal Alliance (WECA); and

WHEREAS, Resolution 428-08 also authorized the preparation of the application by the Genesee Finger Lakes Regional Planning Council (GFLRPC) and upon award of funding, the administration of the grant program by the same; and

WHEREAS, this program encompasses all communities in the Western Erie Canal Heritage Corridor and is modeled after the National Trust for Historic Preservation's Main Street Center (NTMSC) Four Points Program; and

WHEREAS, Wayne County was awarded a \$240,000 grant from the LWRP program, with the required 50 percent matching funds to be acquired from the inaugural NTMSC Local Main Street programs, which are located in the Village of Lockport in Niagara County, the Village of Albion in Orleans County and the Village of Lyons in Wayne County; and

WHEREAS, one of the original goals for this initiative was the receipt of a license by WECA from the NTMSC to allow the expansion of this program into new communities along the Western Erie Canal Heritage Corridor, which is also an objective of the LWRP grant program; and

WHEREAS, one of the requirements for licensure is the hiring of a full time Main Street Coordinator; and

WHEREAS, the present administrative structure as proposed by the GFLRPC includes a part-time Main Street Coordinator, which places the NTMSC license in jeopardy; and

WHEREAS, the NYS Department of State, as the oversight agency for the LWRP program has instructed WECA, as the originator of this program in partnership with the NTMSC, to submit a proposal for inclusion of WECA in the administrative structure of the LWRP funded Main Street Program; and

WHEREAS, the Executive Director of the GFLRPC concurs with the position of the NYS Department of State concerning the inclusion of WECA as a partner in the administration of this program; and

WHEREAS, the Planning Department staff has experience with the administration of grant programs through the NYS Department of State, which is the oversight agency for the LWRP Program, and can assist WECA staff with administrative functions tied to this grant program; now, therefore, be it

RESOLVED, that in keeping with the instructions from the NYS Department of State and the GFLRPC, WECA is authorized to submit an administrative proposal to Wayne County as the sponsor of the LWRP grant, such proposal to address the concerns registered by the NYS Department of State and the GFLRPC regarding the licensure of the Main Street Program by the NTMSC and by extension, the long term sustainability of this important economic development partnership for our historic Erie Canal Main Streets.

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

**RESOLUTION NO. 909-09: RESOLUTION SETTING PUBLIC HEARING FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS**

Mr. Spickerman presented the following:

WHEREAS, an advertised Public Hearing is necessary to fulfill citizen participation requirements of the Grant Application process (24 CFR570.486 and NYS's Citizen Participation Plan) prior to the submission of any applications for Community Development Block Grant assistance in order to give citizens an opportunity to identify and discuss the community's needs and priorities, including the needs of Low and Moderate Income persons, and to propose possible community development projects for inclusion in an application for funding under the New York State Community Development Block Grant Small Cities Program; and

WHEREAS, Wayne County may have an interest in filing applications for this program during the year 2010; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorizes the Clerk of the Board to advertise and conduct this hearing; and be it further

RESOLVED, that the hearing be set for Thursday, January 14, 2010 at 10:30 a.m. in the Board of Supervisors' Chambers at 26 Church Street, Lyons, New York; and be it further

RESOLVED, that the Clerk of the Board is hereby directed to publish notice in the legal newspapers for the County for the first available publication.

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

call, adopted.

**RESOLUTION NO. 910-09: AUTHORIZATION TO PAY PALMYRA UNION AGRICULTURAL SOCIETY APPROPRIATION PAYMENT FOR 2008 AND TRANSFER FUNDS FROM CONTINGENCY ACCOUNT**

Mr. Spickerman presented the following:

WHEREAS, the Board of Supervisors appropriates budget funds for the Palmyra Union Agricultural Society for contributions for operation costs for the Wayne County Fair; and

WHEREAS, the newly appointed Treasurer is requesting past appropriation payments that were ear marked for payments but were never vouchered and claimed; now, therefore, be it

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

Account No. A1990 – Contingent General Fund:

\$5,265.00 from .54000 Contractual Expense

Account No. A8752 – Palmyra Union Ag Society:

\$5,265.00 to .54000 Contractual Expense

RESOLVED, that the Clerk of the Board is hereby authorized to process payment for the 2008 appropriation funds after the transfer is completed.

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

**RESOLUTION NO. 911-09: AUTHORIZATION TO EXECUTE AN EASEMENT WITH NYSEG FOR ABBEY PARK BRIDGE REPLACEMENT**

Mr. LeRoy presented the following:

WHEREAS, the bridge is going to be replaced on Water St. adjacent to Abbey Park; and

WHEREAS, NYSEG would like to relocate the gas main currently attached to the bridge to a buried line under Garnargua Creek; and

WHEREAS, the line would surface on County property in the Northwest corner of the parcel; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the easement as prepared by NYSEG, subject to approval by the County Attorney as to form and content.

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

**RESOLUTION NO. 912-09: AUTHORIZATION TO EXECUTE THE INDUSTRIAL WASTEWATER DISCHARGE PERMIT**

Mr. LeRoy presented the following:

WHEREAS, Wayne County discharges its waste water to the Village of Lyons Treatment plant; and

WHEREAS, the Village of Lyons requires the County to execute an Industrial Wastewater Discharge Permit on an annual basis; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the permit as prepared by the Village of Lyons, subject to approval by the County Attorney; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to pay the \$100.00 permit fee.

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

**RESOLUTION NO. 913-09: ADOPTION OF 2010-2014 CAPITAL PLAN FOR WAYNE COUNTY**

Mr. LeRoy presented the following:

WHEREAS, the County Administrator submitted the proposed 2010-2014 Capital Plan to the Board of Supervisors in May, 2009; and

WHEREAS, the initial Capital Plan Review was conducted on July 21, 2009 with the Board of Supervisors; and

WHEREAS, the Public Works Committee, Planning and Economic Development Committee, and the Finance Committee have reviewed the proposed plan and recommended changes to the plan; and

WHEREAS, the plan has been adjusted to better reflect the funding commitments required with resources available for 2010 and to extend some projects beyond 2014 to more realistically reflect what can be accomplished and what resources are likely to be available to fund projects; and

WHEREAS, the Capital Plan is a planning instrument and not an appropriations commitment; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors approves the Capital Plan for 2010-2014 that is dated November 9, 2009 and is on file with the Clerk of the Board of Supervisors.

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

**RESOLUTION NO. 914-09: AUTHORIZATION TO ADVERTISE FOR PROPOSALS FOR ENGINEERING SERVICES FOR THE ARCADIA-ZURICH-NORRIS ROAD BRIDGE IN THE TOWN OF SODUS**

Mr. LeRoy presented the following:

WHEREAS, The Arcadia-Zurich-Norris Road Bridge over Salmon Creek project is listed on the Genesee Transportation Councils Transportation Improvement Program (TIP) for funding beginning in 2010; and

WHEREAS, the NYSDOT has authorized the County to begin the Consultant Selection process in accordance with the guidelines described in the Locally Administered Federal Aid Project manual; and

WHEREAS, the funds to pay for the engineering services will be 80% federal and 20% local; now, therefore, be it

RESOLVED, that the Highway Superintendent is hereby authorized and directed to request proposals for engineering services for the Arcadia-Zurich Road over Salmon Creek Project (PIN 4754.97) and to present them at a future Highway Committee Meeting.

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

**RESOLUTION NO. 915-09: AUTHORIZATION TO SET SALARY FOR GENERAL HIGHWAY FOREMAN POSITION**

Mr. LeRoy presented the following:

WHEREAS, the position of General Highway Foreman is being vacated due to retirement of a current employee; and

WHEREAS, the General Highway Foreman position is an important Management Confidential class position; now, therefore, be it

RESOLVED, that the annual salary of \$53,000 is hereby established for this position for the 2010 budget year.

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

**RESOLUTION NO. 916-09: AUTHORIZATION TO TRANSFER FUNDS AND CLOSE COMPLETED 2009 PROJECTS FOR THE HIGHWAY DEPARTMENT**

Mr. LeRoy presented the following:

WHEREAS, various Highway projects have been completed in 2009 and final payments processed; and

WHEREAS, balances in budgeted projects may be reallocated to other projects; now therefore be it

RESOLVED, that the County Treasurer is hereby authorized and directed to transfer funds as listed below:

**D5112-ROAD CONSTRUCTION:**

\$26,214.77 from .52614 West Walworth Paving Project  
\$45,953.85 from .52602 Arcadia-Zurich-Norris Rd Culvert Project  
\$ 3,990.25 from .52626 Buffalo Street Paving Project  
\$ 6,096.77 from .52615 Main St. Paving Project  
\$ 1,503.90 to .52617 Misc. Drainage Culvert Project  
\$10,335.74 to .52611 West Walworth Hamlet Reconstruction Project  
\$ 9,574.72 to .52612 Walworth Road Resurfacing Project  
\$34,471.66 to .52619 Ridge Road Project  
\$26,369.62 to .52632 Knickerbocker Rd Project  
and be it further

RESOLVED, that the following highway construction projects within Account D51122 Road Construction having zero balances, are hereby closed:

**D5112-ROAD CONSTRUCTION:**

.52614 West Walworth Paving Project  
.52602 Arcadia-Zurich-Norris RD Culvert Project  
.52626 Buffalo Street Paving Project  
.52615 Main Street Paving Project  
.52617 Misc. Drainage Culvert Project  
.52611 West Walworth Hamlet Reconstruction Project  
.52612 Walworth Road Resurfacing Project  
.52619 Ridge Road Project

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

**RESOLUTION NO. 917-09: AUTHORIZATION TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH HUNT ENGINEERS FOR CONSTRUCTION INSPECTION OF THE CHRISTIAN HOLLER ROAD BRIDGE PROJECT**

Mr. LeRoy presented the following:

WHEREAS, the Christian Holler Road bridge project is funded with Stimulus Funds; and

WHEREAS, the Federal Regulations require full-time construction inspection to document the contractor's work; and

WHEREAS, the NYSDOT has performed the consultant selection process for all of the projects within the Region and Hunt Engineers was selected to inspect this project; and

WHEREAS, Hunt Engineers has provided a not-to-exceed fee of \$42,200 for the Christian Holler Road Bridge Project; and

WHEREAS, the project budgets currently have enough funds to include the Construction Inspection costs; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a supplemental agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Hunt Engineers for the Construction Administration Services for the replacement of the Christian Holler Road Bridge Project at a cost not-to-exceed \$42,200.00.

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

**RESOLUTION NO. 918-09: AUTHORIZATION TO SET POLICY ON DISPOSAL OF TREES AND DEBRIS**

Mr. LeRoy presented the following:

WHEREAS, The County Highway Department performs tree removals and trimming

along County roadways to improve safety and reduce liabilities; and

WHEREAS, the materials removed must be disposed of in an appropriate cost-effective manner; now, therefore, be it

RESOLVED, that the Highway Superintendent is hereby authorized and directed to dispose of materials in the following manner:

- The trees/debris is offered to the adjacent property owner. If the owner wants the materials, a release must be signed and it is placed on their property off of the ROW in a safe location.
- The materials are given to a County resident for their use. The material is hauled to the residence and a release must be signed and the location approved by the Highway Superintendent.
- The materials are hauled to a County owned location where it will be stockpiled and chipped.

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

**RESOLUTION NO. 919-09: AUTHORIZATION TO TRANSFER FUNDS FOR HIGHWAY DEPARTMENT**

Mr. LeRoy presented the following:

WHEREAS, The Administration account in the Highway Department will expend more than the budgeted funds due to overtime costs; and

WHEREAS, the Maintenance of Roads and Bridges (MEO#1) account will have some surplus money; now, therefore, be it

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

**D5110-MAINTENANCE OF ROADS & BRIDGES:**

\$2,002.14 from .51244 MEO#1

\$ 169.00 from .58200 Payments to Social Security

**D5010-HIGHWAY ADMINISTRATION:**

\$2,002.14 to .51904 Overtime

\$ 169.00 to .58200 Payments to Social Security

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

**RESOLUTION NO. 920-09: ESTABLISH A SALARY FOR CONFIDENTIAL SECRETARY TO FILL VACANT POSITION**

Mrs. Bender presented the following:

WHEREAS, the current appointed confidential secretary will retire effective January 31, 2010; and

WHEREAS, the position will need to be filled on February 1, 2010; and

WHEREAS, there is currently no salary set for said position; now, therefore, be it

RESOLVED, that the Board of Supervisors will set a salary for the District Attorney's appointed confidential secretary up to \$30,000.

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

**RESOLUTION NO. 921-09: AUTHORIZING CHANGE IN SALARY FOR ONE PART TIME ASSISTANT DISTRICT ATTORNEY POSITION RELATED TO INCREASED DUTIES**

Mrs. Bender presented the following:

WHEREAS, a current appointed part-time Assistant District Attorney will resign December 31, 2009; and

WHEREAS, the incumbent performed duties in excess of half time; and

WHEREAS, the incumbent was paid an annual salary of \$50,240; now, therefore, be it

RESOLVED, that District Attorney is authorized to increase the salary and hours for one

part time Assistant District Attorney and the Board of Supervisors hereby establishes a salary for one appointed part time Assistant District Attorney of up to \$40,000 per year; and be it further

RESOLVED, that the District Attorney will notify in writing the Human Resources Director of the individual selected prior to the individual commencing the increased duties and compensation.

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

**RESOLUTION NO. 922-09: AUTHORIZATION TO SET SALARY FOR ONE PART TIME ASSISTANT DISTRICT ATTORNEY POSITION**

Mrs. Bender presented the following:

WHEREAS, a current appointed part-time assistant district will resign December 31, 2009 and,

WHEREAS, the position will be need to be filled on January 1, 2010 and,

WHEREAS, the incumbent was paid an annual salary of \$50,240 and,

WHEREAS, the County Administrator anticipates authorizing the vacated position to be filled effective January 4, 2010; and

WHEREAS, no salary schedule currently exists for Management Confidential employees and the Board of Supervisors needs to establish a salary for the position; now therefore be it

RESOLVED, that the Board of Supervisors hereby establishes a salary of \$21,000 for the vacant part time Assistant District Attorney position.

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

**RESOLUTION NO. 923-09: AUTHORIZATION TO SIGN CERTIFICATION OF THE 2010 STOP DWI PLAN**

Mrs. Bender presented the following:

RESOLVED, the Wayne County Public Safety Committee has authorized Mr. James Hoffman, Chairman of the Board of Supervisors, and Mr. Hank Krasucki, STOP DWI Coordinator, to sign the Certification Page and submit the 2010 Wayne County STOP DWI Plan to the Governor's Traffic Safety Committee pending budget approval.

**STOP DWI PLAN**

**2010 Budget Summary**

Enforcement	\$32,440
Court Related	27,630
Probation	75,840
Rehabilitation	7,710
Public Information/Education	36,840
Administration	<u>82,777</u>
Total	\$263,237

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

**RESOLUTION NO. 924-09: AUTHORIZATION TO APPLY FOR RADIO LICENSES FOR THE FIRE DEPARTMENTS OF WAYNE COUNTY AND APPROPRIATE PROJECT ACCOUNT FUNDING**

Mrs. Bender presented the following:

WHEREAS, in association with the Radio Interoperability Project, each fire department in the county will have a base radio (transmitter) operating on one of the new VHF frequency pairs, with these radios and frequencies to replace existing low band radios and frequencies, and

WHEREAS, the County has maintained ownership of the fire department base radios, and has been the licensee for the frequencies and radios for many years, and

WHEREAS, the Radio Communications Committee has given its recommendation that the County should continue to own the stations and licenses at the fire departments, and

WHEREAS, license modifications will be required for each of the 29 individual FCC licenses held by the County, to add the new VHF frequencies for transmission at the fire departments; now, therefore, be it

RESOLVED, that the 911 Coordinator shall be authorized to utilize the Association of Public Safety Communications Officials (APCO) to perform the FCC frequency coordination required for each license to be modified, at a cost of \$210 per license, for a total cost not to exceed \$6090, and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to transfer \$6090 from A878 Undesignated Capital Reserve as follows:

A9950 – TRANSFER TO CAPITAL FUND PROJECT

\$6090.00 TO .51934 Radio Interoperability Project

H1934 – RADIO INTEROPERABILITY PROJECT

\$6090.00 TO .45031 – Interfund Transfer

\$6090.00 to .52000COCST – Equipment and Other Cap

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

**RESOLUTION NO. 925-09: AUTHORIZATION TO AMEND THE 2009 ALS SERVICES AND E-911 COMMUNICATIONS BUDGETS**

Mrs. Bender presented the following:

WHEREAS, for the year 2009 to date, the ALS Services department has experienced an increase in labor costs on the part of the ALS Tech Substitutes, as such personnel have been utilized to cover full time labor vacancies that were not anticipated prior to the adoption of the 2009 County budget; now, therefore, be it

RESOLVED, that the County Treasurer shall amend the 2009 County budget as follows:

A3644-ALS Services:

\$28,000.00 to A3644.51549 ALS Technician Substitute

\$ 5,500.00 from A3644.51550 ALS Technician Part Time

A3642-E-911 Communications:

\$22,500.00 from A3642.54424 Equipment – Maintenance Contract

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

**RESOLUTION NO. 926-09: AUTHORIZATION TO APPLY FOR HOMELAND SECURITY GRANT**

Mrs. Bender presented the following:

WHEREAS, the Wayne County Emergency Management Office has received notification of a grant in the amount of \$146,614 from the New York State Office of Homeland Security for the FY09 State Homeland Security Program is available for which no local match is required; and

WHEREAS, the purpose of this grant is allow the Wayne County Emergency Management Office to enhance the level of security and service that it currently provides to the citizens of Wayne County during a time of emergency; and

WHEREAS, the Wayne County Emergency Management Office is required by grant guidance to use the funds to support planning, equipment, training and exercise needs associated with preparedness and prevention activities; now, therefore, be it

RESOLVED, that the Director of Emergency Management and the Emergency Management Office Training Officer are hereby authorized to submit a grant application, to be

signed by the Chairman of the Board of Supervisors upon the review and approval of the County Attorney, for the FY09 State Homeland Security Program.

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

**RESOLUTION NO. 927-09: AUTHORIZATION TO ACCEPT GRANT FROM NYS GOVERNOR'S TRAFFIC SAFETY COMMITTEE AND MODIFY BUDGET**

Mrs. Bender presented the following:

WHEREAS, the Wayne County Sheriff's Office has received a grant in the amount of \$3,648 in overtime funds from the Governor's Traffic Safety Community for participation in the Buckle-Up new York Program (BUNY) (October 1, 2009 – September 30, 2010) now, therefore, be it.

RESOLVED, that the grant in the amount of \$3,648 is accepted for overtime funds, and be it further

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

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

Increase appropriations A31141.51911 (BUNY Overtime)	\$3,648
Increase Revenue A31140.43370 (Traffic Safety)	\$3,648

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

**RESOLUTION NO. 928-09: AUTHORIZATION TO RECLASSIFY THE TITLE OF THE CLERK-TYPIST POSITION IN THE WAYNE COUNTY PUBLIC DEFENDER'S OFFICE TO SENIOR CLERK-TYPIST AND FILL THE SAME PROMOTIONALLY**

Mrs. Bender presented the following:

WHEREAS, the Wayne County Public Defender's Office has two support staff positions that perform the same duties and responsibilities and should hold the same job title; and

WHEREAS, the positions are titled Clerk-Typist and Senior Clerk-Typist; and

WHEREAS, by Resolution No. 458-07, prior authorization was received to reclassify the Clerk-Typist position to Senior Clerk-Typist and fill the position; and

WHEREAS, authorization is hereby requested to proceed with Resolution 458-07 to reclassify the title of the Clerk-Typist position to Senior Clerk-Typist, and authorization is further requested to fill the same position promotionally with the current employee holding the title of Clerk-Typist, said title reclassification to be effective January 1, 2010; and

WHEREAS, the employee currently holding the position of Clerk-Typist has recently taken and passed the New York State Civil Service Senior Clerk-Typist exam; now, therefore, be it

RESOLVED, that the Public Defender's Office is authorized to reclassify the Clerk-Typist position to Senior Clerk-Typist and is authorized to reclassify the title of the employee currently holding the title of Clerk-Typist to that of Senior Clerk-Typist effective January 1, 2010.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, all Supervisors voted Aye, except Supervisors Lyon, Collier, Plant and Park who voted Nay. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 929-09: AUTHORIZATION TO AMEND THE 2009 HEALTH CARE TRUST PLAN BUDGET FOR YEAR END**

Mr. Lyon presented the following:

WHEREAS, upon review of 11 months of revenues and expenses, a budget amendment is required prior to year end; now therefore be it

RESOLVED, that the County Treasurer is hereby directed to amend the 2009 Budget as

follows:

**MS1710-ADMINISTRATIVE FEES:**

\$47,005.00 to .5400 Contractual expense  
\$ 2,500.00 from .54300 Insurance  
\$ 600.00 from .54501 Accountants & Auditors  
\$ 3,000.00 to .54506 Attorneys

**MS9060-HOSPITAL & MEDICAL INSURANCE:**

\$41,782.00 to .42680 Insurance Recoveries  
\$ 5,123.00 to .42710 Towns & Villages Cont

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

**RESOLUTION NO. 930-09: AUTHORIZE NECESSARY 2009 BUDGET TRANSFERS FOR THE YEAR END**

Mr. Lyon presented the following:

WHEREAS; year end requires transfer between department and between line items to eliminate deficits; and

WHEREAS the Budget Officer will prepare said line item transfers and forward them to the Treasurer's Office; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized and directed to transfer funds necessary for the year end as prepared by the Budget Officer with a copy of such transfers shall be on file with the Clerk of the Board.

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

**RESOLUTION NO. 931-09: AUTHORIZE NECESSARY 2009 BUDGET TRANSFERS TO COVER INCREASE IN MID YEAR HEALTH INSURANCE PREMIUMS**

Mr. Lyon presented the following:

WHEREAS; the cost of monthly premiums increases in July 2009 which would require budget adjustment to line items prior to year end; and

WHEREAS the Budget Officer will prepare said line item transfers to cover said increases; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized and directed to transfer funds as follows:

**A1010-LEGISLATIVE BOARD:**

2,028.00 to .58400 Hospitalization

**A1040-CLERK LEGISLATIVE BOARD:**

\$2,540.00 from .54220 Light & Power

\$512.00 to .58400 Hospitalization

**A1345 PURCHASING:**

\$44,948.00 from .51091 Purchasing Director

**A1410 COUNTY CLERK:**

\$44,948.00 to .58400 Hospitalization

**A1420 COUNTY ATTORNEY:**

\$1,011.00 from .51061 Secretary to County Attorney

\$1,344.00 from .54230 Telephone

\$2,355.00.00 to .58400 Hospitalization

**A1450 BOARD OF ELECTIONS:**

\$3,703.00 from .51665 Voting Machine Tech

\$2,500.00 from .54166 Postage

\$6,203.00.00 to .58400 Hospitalization

**A1680 INFORMATION TECHNOLOGY:**

\$14,000.00 from .58100 Payments to NYS Retirement

\$19,082.00.00 to .58400 Hospitalization

**A1990 CONTINGENT ACCOUNT:**

\$296,327.00 from .54000 Contractual Expense

**A3315 STOP DWI:**

\$1,096.00 from .54559 Jury & Trial Exp/T & V

\$1,096.00 to .58400 Hospitalization

**A3410 MUTUAL AID:**

\$6,245.00 to .58400 Hospitalization

**A6212 WFD/DSS INTENSIVE EMPLOYMENT:**

\$2,000.00 from .51252 Emp & Trng Counselor

\$2,000.00 to .58400 Hospitalization

**A6510 VETERANS SERVICES:**

\$1,554.00 from .54400 Contracted Services

\$1,554.00 to .58400 Hospitalization

**A9060 HOSPITAL & MEDICAL INSURANCE:**

\$285,000.00 to .58400 Hospitalization

**D5010 HIGHWAY ADMINISTRATION:**

\$1,600.00 from .58400 Hospitalization

**D5020 HIGHWAY ENGINEERING:**

\$14,445.00 from .58400 Hospitalization

**D5110 MAINTENANCE ROADS & BRIDGES:**

\$25,000.00 from .58100 Payments to NYS Retirement

\$50,412.00 to .58400 Hospitalization

**D5111 ROAD STRIPING & SIGN MAINT:**

\$31,118.00 to .58400 Hospitalization

**D9040 WORKERS COMPENSATION PAYMENTS:**

\$16,186.00 from .58300 Workers Comp

**D9060 HOSPITAL & MEDICAL INSURANCE:**

\$48,701.00 to .58400 Hospitalization

**D 9999 OTHER:**

\$73,000.00 to .43501 Consolidated Highway Aid

**DM 5130 ROAD MACHINERY:**

\$4,416.00 to .58400 Hospitalization

DM 9060 HOSPITAL & MEDICAL INSURANCE:  
\$3,307.00 to .58400 Hospitalization

DM 9999 OTHER:  
\$7,723.00 to .42665 Sale of Surplus Equipment

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

**RESOLUTION NO. 932-09: AUTHORIZATION TO CLOSE PROJECT H1939 ROUTE 31 COMPLEX AND TRANSFER REMAINING FUNDS INTO THE CONTINGENT ACCOUNT**

Mr. Lyon presented the following:

WHEREAS, Resolution No.347-05 established this project to repair or replace the Pump Station Facilities at Route 31; and

WHEREAS, Resolutions No. 390-05; 293-07 and 738-08 amended the project and funding for the replacement of the Route 31 Pump Station; and

WHEREAS, said Pump Station has been replaced, all work completed and all invoices submitted and paid in an amount of \$402,426.58; and

WHEREAS, a balance of \$50,573.42 needs to be returned to the General Fund in order to close out Project H1939; therefore be it

RESOLVED, that the County Treasurer is hereby authorized to close out Project H1939 ROUTE 31 COMPLEX by transferring \$50,573.42 from the H Fund to the General Fund A and amending the 2009 County Budget as follows:

A1990-CONTINGENT FUND GEN:

\$50,573.42 to .54000 Contractual Expense

A9999-OTHER:

\$50,573.42 to .45031 Interfund Transfer

H1939 ROUTE 31 COMPLEX:

\$50,573.42 to .59100 Transfer-General Fund

\$ 9,898.86 from .52573 Architect/Engineer

\$40,674.56 from .52700 Capital Construction

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

**RESOLUTION NO. 933-09: AUTHORIZING PAYMENT OF SETTLEMENT TO RG&E**

Mr. Lyon presented the following:

WHEREAS, RG&E filed a claim, dated October 22, 2009 against the County of Wayne regarding an incident that occurred on October 5, 2009 on Knickerbocker Road between an excavator owned by the County of Wayne and a gas tee owned by RG&E; and

WHEREAS, the parties are desirous of settling said claim for a total amount not to exceed Nine Hundred Eighty Seven and 84/100 dollars, (\$987.84); now, therefore, be it

RESOLVED, that the claim between RG&E and the County of Wayne has been amicably settled between the parties and payment is hereby approved; and be it further

RESOLVED, that the Wayne the County Treasurer is hereby authorized and directed to issue a check made payable to RG&E in the amount of Nine Hundred Eighty Seven and 84/100 dollars, (\$987.84); from Account No. A#1930 (Judgment and Claims), as directed by the Wayne County Attorney.

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

**RESOLUTION NO. 934-09: AUTHORIZATION TO CREATE A PART-TIME POSITION AND ABOLISH A FULL-TIME POSITION WITHIN THE REAL PROPERTY TAX SERVICES DEPARTMENT**

Mr. Lyon presented the following:

WHEREAS, a full-time "Assistant Real Property Tax Service Aide" retired effective October 17, 2009; and

WHEREAS, in this economic climate, it has been suggested and agreed to abolish a full-time position and create a part-time position; and

WHEREAS, this new position will warrant the hire rate based on union contract for the same title, the maximum work hours will be 17.5 per week, now therefore, be it

RESOLVED, to create a part-time position titled "Assistant Real Property Tax Service Aide" and abolish one (1) full-time position titled the same, be it further

RESOLVED, the Director of Real Property Tax Services immediately search, interview and hire a qualified person to fill the part-time position of "Assistant Real Property Tax Services Aide".

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

**RESOLUTION NO. 935-09: ACCEPTING SEALED BIDS FOR TAX AUCTION PROPERTIES**

Mr. Lyon presented the following:

WHEREAS, pursuant to Resolution No. 323-09 certain properties acquired by the County by tax deed were sold at public auction sale held June 17, 2009; and

WHEREAS, such properties were sold at the public auction sale subject to approval and acceptance of the bids by the Board of Supervisors; and

WHEREAS, these properties were not picked up by first, second and/or adjacent owners within the prescribed time period as detailed in the terms and conditions; and

RESOLVED, that it is the determination of the Board of Supervisors that in the best interest of the County to accept the following sealed bids listed below and the highest bid per property are hereby approved and accepted; the Chairman of the Board of Supervisors is hereby authorized and directed to execute a quit-claim deed for each parcel, subject to approval of the form of the deed by the County Attorney, and to affix the seal of the Board of Supervisors to such deeds; and the payments required by the terms and conditions of sale:

TOWN OF LYONS	Name	Bid
TM # 69113-00-955004	William Griffiths	\$ 500.00
	David DeFisher	\$3,651.00

VILLAGE OF WOLCOTT/

TOWN OF WOLCOTT

TM # 75117-16-838422	William Griffiths	\$2,750.00
	Richard VanLaeken	\$3,650.00

and be it further

RESOLVED, that the Wayne County Treasurer is hereby directed to return the Bid deposits of the unsuccessful Bidders.

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

**RESOLUTION NO. 936-09: AUTHORIZING PAYMENT OF LITIGATION COST AND TRANSFER FUNDS**

Mr. Lyon presented the following:

WHEREAS, Resolution No.688-07 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 (Wendy's Restaurant)		\$1,062.96
Wal-Mart Stores	\$	110.00

now, therefore, be it

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

\$1,172.96 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).

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

**RESOLUTION NO. 937-09: AUTHORIZING AGREEMENT WITH M&T BANK FOR NURSING HOME RENOVATION PROJECT**

Mr. Lyon presented the following:

WHEREAS, Holdsworth Klimonski Construction Company, Inc., the general contractor on the Nursing Home Renovation Project, has indicated that they would like to substitute tax free municipal bonds for the retainage that will be held by Wayne County in accordance with New York State Municipal Law Section 106; and

WHEREAS, this type of transaction is normally accomplished by the Municipality contracting with a custodial bank to provide the required service; and

WHEREAS, the cost of said service is paid for by the Contractor; and

WHEREAS, M&T Bank has experience in providing this service to Municipalities; now, therefore, be it

RESOLVED, the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into an agreement with M&T Bank to provide services to the County regarding the Nursing Home Renovation Project pursuant to Section 106 of the General Municipal Law. Said service is to be provided at no cost to the County.

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

**RESOLUTION NO. 938-09: AUTHORIZATION TO PAY INSURANCE PREMIUM TO HAYLOR, FREYER AND COON, INC. AND TRANSFER FUNDS**

Mr. Lyon presented the following:

WHEREAS, Construction on the Nursing Home Renovation Project will commence on approximately December 16, 2009; and

WHEREAS, The County desires to purchase a Builder's Risk Policy regarding this project; and

WHEREAS, Wayne County has received a quote from Haylor, Freyer and Coon, Inc. for said Builder's Risk Policy in the amount of Thirteen Thousand Seven Hundred Twenty and 00/100 (\$13,720.00) for the County of Wayne; now, therefore, be it

RESOLVED, that the Clerk of the Board is hereby authorized to make payment to Haylor, Freyer & Coon, Inc. in the amounts of Thirteen Thousand Seven Hundred Twenty and 00/100 (\$13,720.00) for the Builder's Risk Policy from Account H1925.52808 upon adoption of this resolution.

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

**RESOLUTION NO. 939-09: AUTHORIZATION TO SHARE DEFENSE COSTS FOR REAL PROPERTY TAX ASSESSMENT REVIEW PROCEEDINGS (ARTICLE 7 LITIGATION)**

Mr. Lyon presented the following:

WHEREAS, proceedings to review real property tax assessments are annually commenced against assessing units, namely the Towns of Wayne County; and

WHEREAS, County taxes are based upon assessments established by the assessing units; and

WHEREAS, the County tax levy is, therefore, affected by any court ordered or stipulated reduction in assessed valuation; and

WHEREAS, this Board approved Resolution No. 444-95, amended by Resolution No. 700-06 and subsequently Resolution No. 688-07 which established minimum standards for

County participation in litigation involving challenges to real property assessments; and  
 WHEREAS, a number of requests from certain Towns have been received by the Real Property Tax Services Director and reviewed and recommended by the Director and the County Attorney, now therefore, be it

RESOLVED, that the County of Wayne will participate in providing financial assistance for litigation challenges of real property tax assessments per the provisions of Resolution No. 688-07 for the following Town's and their respective petitions:

TOWN	Property Owner	Parcel ID#	Index #(s)
Lyons	Parker Hannifin Corp	71111-18-355133	62585, 65743, 68715
Lyons	Penn Can Asphalt (FKA Midland Asphalt)	71111-15-542313	57618, 59886, 62412, 65790
Williamson	Rite Aid Corp	65117-08-910873	68622

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

**RESOLUTION NO. 940-09: TAX REFUND – ERROR ON TAX ROLL**

Mr. Lyon presented the following:

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

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

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

**TOWN OF SODUS**

**2007 Tax Roll**

Account No. 70119-20-985093  
 Assessed to: Peter Hogan  
 Total Tax Difference: \$ 28.68 Total County Tax Difference: \$ 22.61  
 Refund: \$ 28.68

**TOWN OF SODUS**

**2008 Tax Roll**

Account No. 70119-20-985093  
 Assessed to: Peter Hogan  
 Total Tax Difference: \$ 27.47 Total County Tax Difference: \$ 21.11  
 Refund: \$ 27.47

**TOWN OF SODUS**

**2009 Tax Roll**

Account No. 70119-20-985093  
 Assessed to: Peter Hogan  
 Total Tax Difference: \$ 50.01 Total County Tax Difference: \$ 38.14  
 Refund: \$ 50.01

**TOWN OF SODUS**

**2009 Tax Roll**

Account No. 69118-00-960895  
 Assessed to: George Reithel  
 Total Tax Difference: \$ 150.36 Total County Tax Difference: \$ 91.72  
 Refund: \$ 150.36

TOWN OF SODUS

**2008 Tax Roll**

Account No. 69118-00-960895  
Assessed to: George Reithel  
Total Tax Difference: \$ 246.03 Total County Tax Difference: \$ 223.86  
Refund: \$ 246.03

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

**RESOLUTION NO. 941-09: RESOLUTION AUTHORIZING INSURANCE COST REIMBURSEMENT**

Mr. Lyon presented the following:

WHEREAS, Supervisor Hammond has submitted an insurance cost reimbursement request for out-of-pocket payments made by him for Health Insurance for the period 2002 through 2009; and

WHEREAS, the 2009 portion of the request is being paid from current funds in the Wayne County Budget; and

WHEREAS, a precedent exists for making payment of insurance reimbursement for prior years; and

WHEREAS, policy governing the members of the Board of Supervisors entitles those members not enrolled in the county's Health Insurance Program to be reimbursed for fifty percent out of pocket expenses for health insurance coverage; and

WHEREAS, the request for payment for the years 2002 through 2008 is as follows:

2002	\$ 451.40
2003	674.83
2004	859.04
2005	937.04
2006	1,096.55
2007	1,229.88
2008	1,460.42

now, therefore, be it,

RESOLVED, that the Clerk of the Board of Supervisors is authorized to reimburse Supervisor Hammond for fifty percent of personal insurance costs incurred for the years and amounts contained within this resolution; and further

RESOLVED, that the County Treasurer is directed to amend the 2009 County Budget as follows:

A1010-LEGISLATIVE BOARD:

\$4,021.00 to .54600 Misc

A1990-CONTINGENT FUND GEN:

\$4,021.00 from .54000 Contractual Expense

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

**RESOLUTION NO. 942-09: AUDIT OF CLAIMS – December 15, 2009**

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 totaling **\$ 2,331,613.48** are hereby approved for payment and the Treasurer is hereby authorized and directed to make payment of the same:

1. A Fund \$ 1,601,545.16

2. D Fund	\$	186,153.37
3. DM Fund	\$	80,238.56
4. E Fund	\$	415,276.39
5. H Fund	\$	26,500.00
6. MS Fund	\$	300.00
7. S Fund	\$	21,600.00
Warrant Total	\$	<b>2,331,613.48</b>

and be it further

RESOLVED, that the following utilities totaling **\$163,997.35**, processed pursuant to Resolution No. 176-78, are hereby ratified:

1. A Fund	\$	120,892.47
2. DM Fund	\$	5,047.65
3. E Fund	\$	38,057.23
Utility Total	\$	<b>163,997.35</b>

and be it further

RESOLVED, that miscellaneous disbursement checks were processed for the following County Departments, totaling **\$ 227,138.36** are hereby ratified:

1. Nursing Home	\$	83,670.53
2. Sheriff-Misc.	\$	500.00
3. Sheriff-Pistol Permits	\$	3,393.00
4. Social Services	\$	565.70
5. County Attorney	\$	2,382.27
6. WBHN	\$	453.71
7. Public Health	\$	493.00
8. Workers' Comp	\$	133,630.15
9. Highway Dept.	\$	2,050.00
	\$	<b>227,138.36</b>

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

**RESOLUTION NO. 943-09: AUTHORIZATION TO CONTRACT WITH LOZIER ENVIRONMENTAL CONSULTING INC. FOR PROJECT SERVICES**

Mr. Spickerman presented the following:

WHEREAS, Lozier Environmental has provided all professional services to date for all asbestos abatement related activities in the Former Nursing Facility, and

WHEREAS, Wayne County is required by laws governed by the NYS Dept. of Labor to contract with an independent company for air monitoring and related services in the upcoming Renovation project of our Former Nursing Facility, and

WHEREAS, Watchdog Building Partners Inc. has estimated a project budget for said services to be \$50,000.00, and

WHEREAS, Lozier's has provided unit pricing for all required services for the Renovation Project be it hereby

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign an agreement with Lozier Environmental Services Inc., at a cost not to exceed \$50,00.00, subject to approval by the County Attorney as to form and content, and be it further,

RESOLVED, that it be for the duration of the project as needed at the following rates:

Project Management Labor rate	\$50.00/Hr.
Project Monitor- Labor/Inspections	\$50.00/Hr.
Air Technician Labor	\$35.00/Hr.
Air Technician Labor	Overtime Rate \$52.00/Hr.
PCM Air Samples	\$ 9.00/sample

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

**RESOLUTION NO. 944-09: AUTHORIZATION TO SEEK REQUEST FOR PROPOSALS FOR SPECIAL INSPECTIONS FOR RENOVATIONS TO THE FORMER NURSING FACILITY**

Mr. Spickerman presented the following:

WHEREAS, Wayne County is required by the NYS Dept. of Labor, Codes Division to provide special inspections for essential items during the construction phase of the Former Nursing Facility; and

WHEREAS, SWBR and Watchdog are jointly working on a Request for Proposal for Special Inspections; now, therefore, be it

RESOLVED, that Watchdog Building Partners shall seek proposals from all local authorized inspection agencies as per their prepared Request for Proposals and they shall submit all results to the Building Relocation Committee for review and recommendations for award by the Wayne County Board of Supervisors.

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

**RESOLUTION NO. 945-09: AUTHORIZATION TO AMEND AGREEMENT WITH HARRIS BEACH, LLP FOR BOND COUNSEL SERVICES FOR OLD NURSING HOME RENOVATION PROJECT**

Mr. Spickerman presented the following:

WHEREAS, Resolution No. 453-09 authorized an agreement with Harris Beach LLP for Bond Counsel Services for the Old Nursing Home Renovation Project subject to the following fee structure:

1. For Bond Anticipation Notes (original issue): \$750 for each original issue note plus \$00.25 per thousand dollars of note issued;
2. For Bond Anticipation Notes (renewal issue): \$600 for each renewal note plus \$00.25 per thousand dollars of note issued;
3. For Serial Bonds (fixed rate): \$3,500 plus \$00.50 per thousand dollars of bonds issued;
4. Harris Beach shall be reimbursed for costs of long distance telephone calls, travel, courier services, on-line legal research, recording and filing fees, transcripts, copying, telecopying (outgoing only) and printing. Reimbursement shall be capped at no greater than \$200 per bond issue and not greater than \$500 per bond issue; and

WHEREAS, the County has since altered the plan for Bond financing for the renovation of the Old Nursing Home in that the County now has authorized participation in a pooled bond issue through the State of New York Municipal Bond Bank Agency ("MBBA"); and

WHEREAS, the scope of services Harris Beach LLP will provide as bond counsel to the County in a pooled financing are significantly greater than the services bond counsel would provide in a competitive tax exempt bond financing issued directly by the County; and

WHEREAS, Harris Beach LLP has provided the County with a revised fee quote in the amount of \$17, 500 which will include all services that bond counsel would be required to provide in connection with the financing of the Nursing Home Renovation Project through the issuance by MBBA of its Build America Bonds ("BABs") and Recovery Zone Economic Bonds ("RZEDs") in an aggregate amount of \$10,000,000 inclusive of the additional work that bond counsel will provide relative to the County's compliance with the Davis Bacon Act; and

WHEREAS, Harris Beach LLP has further requested reimbursement for disbursement for out of pocket costs, courier charges, on-line legal research, recording and filing fees, transcripts and coping costs, not to exceed \$500 per bond issue; now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to enter into an amended agreement with Harris Beach, LLP, Pittsford, New York to provide Bond Counsel Services for the Old Nursing Home Renovation Project contingent upon review and approval by the County Attorney as to form and content; and be it further

RESOLVED, that Harris Beach LLP will receive a fee in the amount of \$17,500 for serving as bond counsel to the County in connection with the financing of the Old Nursing Home Renovation Project through the issuance by the MBBA of its BABs and RZED's in an aggregate principal amount of \$10,000,000 together with reimbursement for out of pocket costs

as follows: Harris Beach shall be reimbursed for costs of long distance telephone calls, travel, courier services, on-line legal research, recording and filing fees, transcripts, copying, telecopying (outgoing only) and printing. Reimbursement shall be capped at no greater than \$500 per bond issue.

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

**RESOLUTION NO. 946-09 RESOLUTION TO AUTHORIZE ACCEPTANCE OF NEW YORK STATE DEPARTMENT OF ECONOMIC DEVELOPMENT EMPIRE ZONE ADMINISTRATIVE CONTRACT #T004610 FOR THE 2008 – 2009 FISCAL YEAR**

Mr. Spickerman presented the following:

WHEREAS, New York State contracts with Wayne County to administer the Empire Zone; and

WHEREAS, the contract authorizes funding from New York State with financial assistance arriving in the form of a grant for operating expenses and technical assistance incurred by the County in administering the Empire Zone Program; and

WHEREAS, the amount for this 2008 – 2009 period is \$21,229.00 from the NYS Department of Economic Development; and

WHEREAS, in order to continue the Empire Zone Program the County is required to match this amount and has provided \$42,208 in the calendar year 2008 and 2009 Budgets; be it hereby

RESOLVED, Wayne County accepts Contract #T004610 for the 2008 - 2009 Fiscal Year between Wayne County and the New York State Department of Economic Development for administration of the Empire Zones Program; and, be it further

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

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

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

**RESOLUTION NO. 947-09: AUTHORIZATION TO AMEND 2009 EQUIPMENT ADDENDUM AND PURCHASE OFFICE EQUIPMENT FOR COUNTY AUDITOR**

Mr. Lyon presented the following:

WHEREAS, the Office of the County Auditor has been established and is in need of office equipment for the ability to function effectively; and

WHEREAS, when the equipment addendum was established in 2008 for these projected purchases, it was uncertain as to what equipment would be needed; and

WHEREAS, there are 2009 budgeted funds available for office equipment in Account No. A1320.52200 (Office Equipment) and Account No. A1320.2201 (Computer Equipment); now, therefore, be it

RESOLVED, that the County Auditor is hereby authorized and directed to purchase the following office equipment at a cost not to exceed \$1,980.

2 - Office chairs	\$515.31
1 - Desk	644.75
1 - 4 drw file cabinet	696.96
Total	\$1,857.02

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

**RESOLUTION NO. 948-09: AUTHORIZATION TO AMEND RES. 506-09 TO CONTRACT WITH WAYNE FINGER LAKES BOCES FOR TRANSPORTATION**

Ms. Park presented the following:

WHEREAS, the County is required to provide transportation for children in the Pre-K program and currently has a contract with Wayne Finger Lakes BOCES to provide transportation; and

WHEREAS, the Gananda Central School District has a new student as of October 8, 2009 who will be attending the Roosevelt Pre-K Program at the Roosevelt Children's Center in Newark, NY; and

WHEREAS, the child will attend the Roosevelt Center every Thursday and Friday for a half-day session; and

WHEREAS, this will create a new bus route at a cost of \$20.41 per day for driver cost starting on October 8, 2009 through the end of the contract on June 30, 2010; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute an amendment to the contract with the Wayne Finger Lakes BOCES for a total cost not to exceed \$1,265.42 for the period of October 8, 2009 till June 30, 2010, subject to the County Attorney's approvals as to form and content.

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

**OTHER BUSINESS**

Mr. LeRoy moved, seconded by Mr. Kelsch that one (1) resolution be allowed on the floor under other business. Motion carried.

**RESOLUTION NO. 949-09: AUTHORIZE WAYNE COUNTY TO ISSUE A REQUEST FOR PROPOSALS AND APPLY FOR FUNDING FROM THE NYS ARCHIVES LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND**

Mr. Spickerman presented the following:

WHEREAS, Wayne County and its Towns and Villages have collaborated on the development of a consistent Geographic Information System (GIS) to chronicle and exchange land use information in a cooperative effort to increase access to electronic records from across the County; and

WHEREAS, the availability of this information in a compatible electronic format will allow communities to seamlessly exchange information and will simplify planning and economic development efforts by making available reliable and consistent information for a variety of planning and economic development purposes; and

WHEREAS, the first step in developing such a program involved completing a needs assessment; and

WHEREAS, a GIS needs assessment, conceptual design and implementation plan have been completed and adopted; and

WHEREAS, Wayne County applied for a Local Government Records Management Improvement Fund (LGRMIF) Grant in 2008 and was not awarded funding; and

WHEREAS, the LGRMIF Grant program was announced subsequent to the December Committee meeting schedule and the applications are due February 1, 2010; and

WHEREAS, the County Planning Department has received correspondence from NYS Archives regarding the shortcomings of that application and has taken steps to improve the content of the application; and

WHEREAS, the LGRMIF Grant program requires that the budget for the grant be developed by obtaining proposals from qualified consultants pursuant to a competitive solicitation process involving the dissemination of a Request for Proposals; and

WHEREAS, the condensed timeframe to complete the RFP process and submit the grant by February 1, 2010 requires that a resolution be presented to the Board of Supervisors as

soon as possible; now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes the Wayne County Planning Department to release a Request for Proposals, which is required to develop the budget for the proposed LGRMIF grant application; and be it further

RESOLVED, that the Board of Supervisors authorizes the appointed Records Management Officer (RMO) and chief administrative officer to submit an application for Local Government Records Management Improvement Funds to pursue GIS implementation items on behalf of Wayne County in an amount not to exceed \$125,000; and be it further

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

Mr. Plant requested a two (2) minute recess to allow time to read over the proposed resolution.

Ms. Sharon Lilla, Wayne County Planning Director, addressed the Board to answer questions the geographic information system.

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

**EXECUTIVE SESSION:** Mrs. Collier moved, seconded by Ms. Park, that the Board go into Executive Session to discuss a personnel issue at 10:46 a.m. Upon roll call, carried.

**REGULAR SESSION:** Mr. Hammond moved, seconded by Ms. Park that the Board resume regular session at 11:45 a.m.. Carried.

Mr. Fabino moved, seconded by Mr. Colacino that one (1) resolution be allowed on the floor under other business. Motion carried.

**RESOLUTION NO. 950-09: ADOPTING 2010 SALARY SCHEDULE FOR ELECTED OFFICIALS BEGINNING TERM ON JANUARY 1, 2010**

Mrs. Collier presented the following:

WHEREAS, the Government Operations Committee has recommended 2010 Salaries for County Officers and Department Heads; and

WHEREAS, certain elected officials will be beginning a new term of office on January 1, 2010 and it is necessary to set their salaries prior to them taking office; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby adopts the following schedule for certain elected county officers for the year 2010 effective January 1, 2010:

<u>NAME</u>	<u>TITLE</u>	<u>2010</u>
Barry Virts	County Sheriff	\$86,508
Michael Jankowski	County Clerk	\$72,387
David Hannan	County Coroner	\$38,401

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

**ADJOURNMENT:**

The next scheduled meeting of the Board is Tuesday, December 22, 2009 at 9:00 a.m.

Mr. Lauderdale moved, seconded by Mr. Lyon, that the board adjourn at 11:55 a.m. Carried.

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