

REQUEST TO CALL SPECIAL MEETING

To the Clerk of the Board of Supervisors:

You are hereby directed to call a Special Meeting of the Board of Supervisors of Wayne County, New York, to be held in the First Floor Conference Room of the Court House in the Village of Lyons, New York, on **Tuesday, April 12, 2011 at 11:30 a.m.**, for the following purposes:

FIRST: For the purpose of awarding a bid for equipment and furnishings for the Public Safety Building.

SECOND: To hear, consider and act upon any other matter which may be brought to the Board in the same manner and to the same effect as if the Board were convened in regular session.

Dated at Lyons, New York
April 5, 2011

James D. Hoffman, Chairman
Wayne County Board of Supervisors

NOTICE OF SPECIAL MEETING

State of New York
Wayne County

Office of the Clerk of the Board of Supervisors

Upon direction of the Chairman of the Board of Supervisors of the County of Wayne, I do hereby call a Special Meeting of the Board of Supervisors of Wayne County, New York, to be held in the First Floor Conference Room of the Court House in the Village of Lyons, New York, on **Tuesday, April 12, 2011 at 11:30 a.m.**, for the following purposes:

FIRST: For the purpose of awarding a bid for equipment and furnishings for the Public Safety Building.

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Dated at Lyons, New York
April 5, 2011

Sandra J. Sloane, Clerk
Wayne County Board of Supervisors

**8th Day
Tuesday, April 12, 2011
11:30 a.m.**

The Special 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 Spickerman.

Upon roll call, all Supervisors were present.

County Administrator James Marquette and Assistant County Attorney Daniel Connors were also in attendance of the late morning session.

APPROVAL OF MINUTES:

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

PRIVILEGE OF THE FLOOR:

There were no requests for public comment.

SCHEDULED BUSINESS:

AD HOC – Building Relocation Committee

RESOLUTION NO. 236-11: AUTHORIZATION TO ACCEPT BIDS FOR PUBLIC SAFETY BUILDING EQUIPMENT AND FURNISHINGS

Mr. Spickerman presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for Furnishings and Equipment for the Wayne County Public Safety Building; and

WHEREAS, Vargas Associates have reviewed said bids together with the Ad Hoc - Building Relocation Committee of the Wayne County Board of Supervisors; now, therefore, be it

RESOLVED, pursuant to the recommendation of Vargas Associates and the Building Relocation Committee of the Board, the following low bids are hereby accepted and the detail for each item code by successful bidder is listed accordingly:

Quality Office Environments

Quantity	Description	Item	Unit	
Extended				
5	3 seat, tandem seating	T-99	\$ 1,109.40	\$ 5,547.00
14	2 seat, tandem seating	T-99	\$ 754.22	\$ 10,559.08
		Grand Total		\$ 16,106.08

and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute individual contracts for the above listed furniture on behalf of the County of Wayne, for use at the Wayne County Public Safety Building, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 237-11: AUTHORIZATION TO AMEND CONTRACT WITH VARGAS ASSOCIATES INC.

Mr. Spickerman presented the following:

WHEREAS, the County entered into an agreement dated November 9, 2010 with Vargas Associates, Inc as a relocation provider to assist with the planning and management to move furniture and equipment from various County Buildings to the Wayne County Public Safety Building; and

WHEREAS, said agreement commenced on January 1, 2011 and terminated on March 31, 2011; and

WHEREAS, the parties have agreed that the term of said agreement needs to be extended to May 31, 2011; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into an amended agreement with Vargas Associates Inc., subject to the approval of the Wayne County Attorney, to extend the term of the original agreement until May 31, 2011.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mrs. Bender.

Mr. LeRoy expressed his concerns with the presentation of this resolution for Vargas Associates as this does not detail any dollar amount. He stated that he would not be supporting this resolution and continued that if we need to extend the contract period with regard to change orders, there needs to be a dollar amount listed.

Mr. Spickerman addressed the Board and stated that we are at a critical point in this project and cannot afford any delays that may stop it. He added that extra time was approved at the last meeting; and that the Board would be thoroughly reviewing change orders that will be presented with consideration to possible deductions.

County Administrator Marquette stated that this resolution on the floor pertains to the time frame of services and the extension of the contract period. For the next board session, three resolutions will be presented with associated costs broken down.

Mr. LeRoy noted his concerns with a recent request for reimbursement of phone calls and additional time of services to Vargas Associates; and that these charges should be included in the original contract.

Mr. Marquette added that the extension of this contract with Vargas is not committing to additional financial obligations, only a date of the contract extension. He stated that the adoption of this resolution will keep the project moving.

Mr. LeRoy concluded that by passing this resolution will undoubtedly open the door to additional costs.

The Chairman called for a long roll call.

Upon roll call, all Supervisors voted Aye, except Supervisors Manktelow and LeRoy who voted Nay. The Chairman declared the Resolution adopted.

OTHER BUSINESS:

Mr. Hammond moved, seconded by Mr. Miller that three (3) resolutions be allowed on the floor under other business. Motion carried.

RESOLUTION NO. 238-11: AUTHORIZATION TO RESCIND RESOLUTION NO. 165-11, SEND NOTICE OF CANCELLATION OF PUBLIC HEARING, AND SET THE NEW DATE FOR PUBLIC HEARING ON PROPOSED LOCAL LAW AMENDING THE MORTGAGE RECORDING TAX WITHIN THE COUNTY OF WAYNE

Mr. Hammond presented the following:

WHEREAS, pursuant to the adoption of Resolution No. 165-11, the Board of Supervisors set the date for a public hearing to be held on Tuesday, April 19, 2011 at 9:10, for the purpose of amending Local Law No. 4-2005, as amended by Local Law No. 4-2008, entitled "Adoption of Local Law to Impose a Mortgage Recording Tax within the County of Wayne"; and

WHEREAS, an incorrect date was noted in this adopted resolution, as well as, advertised in the Notice of Public Hearing within the official newspapers; now, therefore be it

RESOLVED, that Resolution No. 165-11 that set the date for the public hearing is hereby rescinded; and be it further

RESOLVED, that the Clerk of the Board is hereby authorized and directed to send notice of cancellation to the official newspapers, accordingly; and be it further

RESOLVED, that the scheduled Public Hearing for Tuesday, April 19, 2011 at 9:10 a.m. is hereby cancelled; and be it further

RESOLVED, that the Clerk of the Board is hereby authorized and directed to advertise to set the date for said Public Hearing; and be it further

RESOLVED, pursuant to Section 20 of the Municipal Home Rule Law, that the Board of Supervisors shall hold a public hearing on **Monday, April 25, 2011, at 10:00 a.m.** in the Supervisors' Chambers in the County Court House, Lyons, New York, on the following proposed local law:

COUNTY OF WAYNE - STATE OF NEW YORK

A local law amending Local Law No. 4-2005 as amended by Local Law No. 4-2008, entitled "Adoption of Local Law to Impose a Mortgage Recording Tax within the County of Wayne".

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

SECTION 1

Section 1 of Local Law 4-2005 as amended by Local Law No. 4-2008, entitled "Adoption of Local Law to Impose a Mortgage Recording Tax within the County of Wayne" is hereby amended to read as follows:

Section 1. Imposition of Tax

Pursuant to Chapter 164 of the Laws of 2005, for the period beginning June 1, 2011 and ending April 24, 2014, there is hereby imposed, in the county of Wayne, a tax of \$0.25 for each \$100.00, and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within the county of Wayne and recorded on or after June 1, 2011 and a tax of \$0.25 on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than \$100.00.

SECTION 2

Section 7 of Local Law 4-2005 as amended by Local Law 4-2008, entitled "Adoption of Local Law to Impose a Mortgage Recording Tax within the County of Wayne" is hereby amended to read as follows:

Section 7. Effective Date

This local law shall take effect on the first day of June, 2011, provided a certified copy thereof is mailed by registered or certified mail to the New York State Commissioner of Taxation and Finance at least 30 days prior to such date. Certified copies of this local law shall also be filed with the Wayne County Clerk, the Secretary of State, and the

State Comptroller within five days after the date it is duly enacted.
Mrs. Collier moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

RESOLUTION NO. 239-11: AUTHORIZATION TO AMEND THE 2011 WAYNE COUNTY BUDGET AND ISSUE PAYMENT TO MEDICARE PART A

Mr. Hammond presented the following:

WHEREAS, Medicaid in conducting a Third-Party Liability audit of 2007 and 2008 paid claims, instructed Wayne County to bill Medicare for the same claims for clients that are dually insured; and

WHEREAS, the county billed Medicare, and Medicare paid the county for said claims; and

WHEREAS, the county received payment from Medicare, deposited the payments and recorded revenue for said claims in 2010; and

WHEREAS, in the Fall of 2010, Medicare informed the county that those billed claims were denied because these were not claims that were the responsibility of Medicare and that the over payment had to be refunded back to Medicare; and

WHEREAS, Medicare withheld payments on 2011 billed claims to collect for the over payment of said 2007 and 2008 claims; then on March 15, 2011, informed the county that the remaining unpaid balance of \$56,305.70 had been outstanding for 60 days and was to be paid by April 13, 2011; and no further claims will be processed by Medicare till the unpaid balance is paid; and

WHEREAS, the 2011 County Budget needs to be amended for the \$56,305.70 underpayment; now, therefore, be, it

RESOLVED, that the Wayne County Treasurer is hereby directed to transfer \$56,306 from the Unappropriated General Fund Balance; and be it further

RESOLVED, that the Wayne County Board of Supervisors does hereby amend the 2011 Wayne County Budget as follows:

A4019 Wayne County Community Nursing Care

\$56,306 to .54000 Contractual Expenses

and be it further

RESOLVED, that the immediate payment of \$56,305.70 is hereby authorized.

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

RESOLUTION NO. 240-11: AUTHORIZATION FOR TEMPORARY POSITION TO ASSIST WITH PREPARING FOR SALE OF TAX-ACQUIRED PROPERTIES

Mr. Hammond presented the following:

WHEREAS, the Real Property Tax Department assists with posting and photographing properties that have been acquired for non-payment of taxes; and

WHEREAS, the department has recently learned that the individual assigned this task will be unavailable due to medical considerations; and

WHEREAS, it is necessary to continue to prepare for the upcoming tax sale; and

WHEREAS, a former employee of the department is available and willing to assist on a temporary basis; now, therefore, be it

RESOLVED, that a Temporary Position of Tax Map Supervisor at an hourly rate of \$28.923, for a period not to exceed ninety (90) days or seventy (70) hours, in total is hereby created; and be it further

RESOLVED, that the incumbent shall be entitled to mileage reimbursement when performing field work for the department; and be it further

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

A1990 Contingent Fund General

(appropriations)

\$2,180 from .54000 Contractual Services

A1355 Assessment- Real Property Tax

(appropriations)

\$2,025 to .51332 Tax Map Supervisor

\$ 155 to .58200 Payments to Social Security

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

ADJOURNMENT:

The next scheduled meeting of the Board is Tuesday, April 19, 2011 at 9:00 a.m.

Ms. Park moved, seconded by Mr. LeRoy, that the board adjourn at 11:46 a.m.
Carried.

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