

9th Day
Tuesday, April 19, 2011
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 Spickerman, followed by Chairman Hoffman giving the invocation.

Upon roll call, all Supervisors were present.

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

APPROVAL OF MINUTES:

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

COMMUNICATIONS:

The Clerk read the following:

A copy of the Sheriff's Cash Receipts Report for the month of March 2011, in the amount of \$14,560.62, was received and filed.

An adopted resolution from the Tioga County Legislature urging Governor Cuomo to Reject the 2011 Mandate Relief Redesign Team Report and to Introduce Property Tax Relief for the Citizens of New York State.

A thank you letter was received from Governor Cuomo, thanking the Board for correspondence regarding the 2011-2012 NYS Budgets; and assured that our views have been received and passed along to the appropriate staff members.

A letter from Assemblyman Bob Oaks was received regarding the Board's concerns of potential cost shifts associated with the Governor's executive budget proposal; and is working to limit the impact of this proposal and will fight for the mandate relief that counties are demanding and deserve.

A thank you note was received from Kim Park, thanking friends and colleagues for their kindness and understanding; and for contributions to Hospice on behalf of her mother.

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

BIDS:

Wayne County Highway Department

- Award bid for Vacuum Street Sweeper
- Reject bids for Lowboy Construction Trailer

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

ANNUAL REPORTS:

Wayne Behavioral Health Network

Wayne Co. Advanced Life Support

Wayne Co. Attorney

Wayne Co. Buildings and Grounds

Wayne Co. Finger Lakes Works

Wayne Co. Historian

Wayne Co. Mutual Aid

Wayne Co. 911 Communications

Wayne Co. Nursing Home & Rehab Ctr

Wayne Co. Public Health Services

Wayne Co. Sheriff's Office
Wayne Co. Veterans Services Agency

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

PROCLAMATIONS:

Supervisor Park, Chairperson of the Health and Medical Services Committee, read two proclamations for National Nursing Home Week from May 8 – May 14, 2011; and National Nurses' Week from May 6 – 12, 2011.

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.

SCHEDULED BUSINESS:

The Clerk of the Board read the following Notice of Public Hearing for the Modification of Agricultural District No. 1:

**WAYNE COUNTY BOARD OF SUPERVISORS
NOTICE OF PUBLIC HEARING**

**REGARDING THE ANNUAL REVIEW PERIOD FOR INCLUSION OF LAND
IN A CERTIFIED AGRICULTURAL DISTRICT**

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Supervisors of Wayne County, State of New York, on Tuesday, April 19, 2010 at 9:05 a.m. in the Supervisors Chambers, Wayne County Courthouse, 26 Church Street, Lyons, New York, regarding the ANNUAL REVIEW PERIOD FOR INCLUSION OF LAND IN A CERTIFIED AGRICULTURAL DISTRICT. The hearing will be held to consider the recommendations of the Wayne County Agriculture Development Board and any proposed modifications to existing agricultural districts.

The following farmland property is proposed by the owners to be included in the existing Agricultural District No. 1 within the respective municipality:

Tax ID Num	Municipality	Name	Acres
74112-17-112166	TGalen/VClyde	Smith Family Acres LLC	87.7
74111-05-086982	Town of Galen	Smith Family Acres LLC	2.7
70117-00-518693	Town of Sodus	Donna J. Meyer	18.4
70118-00-338832	Town of Sodus	Donna J. Meyer	21.45
66115-00-518685	Town of Marion	James Weinschreider	27.68

A tax map illustrating the proposed district modifications and recommendations of the Wayne County Agriculture Development Board may be examined, during regular business hours, in the Wayne County Planning Department, Second Floor, 9 Pearl St., Lyons, N.Y. 14489 or on the County website www.co.wayne.ny.us/Departments/planningdept/planningdept.htm.

All interested parties and citizens will be heard by representatives of the Wayne County Board of Supervisors at the public hearing.

For further information please call the Wayne County Planning Department at (315) 946-5919.

Dated: March 22, 2011

Sandra J. Sloane, Clerk

Mr. David Parker, on behalf of the Sodus Bay Business Association (SBBA), addressed the Board to give a presentation on the value of the bay and the contributions it makes to the entire community at large, focusing on the issue of the blue/green algal bloom that occurred late summer of 2010.

The SBBA is requesting that the Board take immediate consideration with the county budget and support efforts that will lead to a permanent and sustained financial underpinning of an effective water quality program for the bay.

Mr. LeRoy commented that he would not want to see lake front property owners charged additional tax for weed harvesting, as Lake Ontario is a county asset.

Mr. Lauderdale asked who would coordinate the proposal for a comprehensive approach to a water quality program. Mr. Parker stated that they are seeking the County to fund this but request to be directly involved in the coordination of the program.

Mr. Hoffman noted that Wayne County gives a budget appropriation to the Wayne County Soil and Water Conservation District for weed harvesting and is cooperatively coordinated by S.O.S.

Discussion took place regarding the testing of Glenmark Creek for the agricultural aspect and concentrated runoff that contributes to certain water quality problems; and also the possible marketability of harvested algae.

Supervisor Colacino thanked Mr. Parker and the Sodus Bay Business Association for being proactive on this matter and addressing the Board with today's presentation.

Emilie C. Sisson, Wayne County Rural Health Network updated Board members of the WayneRX prescription Discount Card. This program has no tax payer costs as the program is funded through a settlement from a class action law suit in 2008.

Ms. Sisson answered questions regarding comparing the program with other individuals with insurance, finding that in some cases, their prescriptions are less when using the Wayne Rx card.

RESOLUTION NO. 241-11: AUTHORIZATION TO APPOINT MEMBERS TO THE FINGER LAKES WORKFORCE INVESTMENT BOARD

Mrs. Crane 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 the terms shall be staggered; and

WHEREAS, the nominees are Sarah Fantauzzi, Director of Human Resources, Baldwin Richardson Foods Company to replace Kelly Bean (industry cluster) and Wilson Augustave, PathStone Corporation to replace Orlando Rivera; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby appoints said nominees to the Finger Lakes Workforce Investment Board to fill a three year term from April 1, 2011 through June 30, 2013; and be it further

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

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

RESOLUTION NO. 242-11: AUTHORIZATION TO AMEND WORKFORCE INVESTMENT ACT YOUTH CONTRACT AND AMEND 2011 WAYNE COUNTY BUDGET

Mrs. Crane presented the following:

WHEREAS, Resolution No. 69-11 included an increase of \$14,146 in the 2011 Wayne County Budget for additional funds related to two contract amendments in September 2010 and March 2011; and

WHEREAS, in March 2011, an additional \$13,000 was awarded to Wayne County Finger Lakes Workforce Development office to utilize for Client Wage and Fringe; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized, upon the review and approval of the County Attorney, to execute an amendment to the WIA Youth Program Contract to include the additional participant funds of \$13,000 bringing the total contract amount to \$109,152; and be it further

RESOLVED that the County Treasurer is authorized to amend the 2011 budget as follows:

A6295 WIA Youth

(revenues)

\$13,000 to .44712 WFD Revenue

(appropriations)

\$ 12,080 to .51357 Work Experience Participant

\$ 920 to .58200 Payments to Social Security

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

RESOLUTION NO. 243-11: AUTHORIZATION TO AMEND CONTRACT WITH TITLE V SENIOR EMPLOYMENT SERVICES BETWEEN OFFICE OF THE AGING AND YOUTH AND WAYNE COUNTY WORKFORCE DEVELOPMENT (WFD)

Mrs. Crane presented the following:

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

WHEREAS: Resolution No. 631-10 authorized a renewed contract between Aging and Youth and WFD for 2010 – 2011 calendar year in the amount of \$47,609; and

WHEREAS: Additional funds of \$12,000 have been awarded in March of 2011 to be utilized for participants in the Wage and Fringe benefit lines of the contract; therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized, subject to the County Attorney's review and approval, to amend the contract on behalf of the County of Wayne between the Workforce Development Office and the Wayne County Department of Aging and Youth; and be it further

RESOLVED, that the County Treasurer is authorized to amend the 2011 budget as follows:

A6211 Title V

(revenue)

\$12,000 to .42761 WFD Revenue

(appropriations)

\$ 11,150 to .51357 Work Experience Participant

\$ 850 to .58200 Payments to Social Security

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

RESOLUTION NO. 244-11: AUTHORIZATION TO AMEND RESOLUTION NO. 68-11 FOR CONTRACTING WITH ROCHESTER GENESEE REGIONAL TRANSPORTATION AUTHORITY (RGRTA)/WAYNE AREA TRANSPORTATION SERVICES (WATS) FOR ON-DEMAND TRANSPORTATION SERVICES

Mrs. Crane presented the following:

WHEREAS, Resolution No. 68-11 authorized a contract with RGRTA/WATS for provision of transportation in the amount of \$51,000 at no County Cost; and

WHEREAS, the changes made to the New York State Budget now require an additional local cost to support this program; and

WHEREAS, this program continues to be needed to meet participation rates or face possible penalties as specified in the Federal Deficit Reduction Act of 2005 as well as New York State statute; and

WHEREAS, local monies are needed in an amount of \$20,000 to met the expenses calculated by RGRTA/WATS; now, therefore, be it

RESOLVED, that Resolution No. 68-11 is hereby amended to include a local county contribution of \$20,000, bringing the total to an amount not to exceed \$71,000 for the timeframe 1/1/11-12/31/11 for the provision of on-demand services to Wayne DSS by RGRTA/WATS; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to sign an amended contract with the RGRTA/WATS, subject to review by the County Attorney, reflecting the above change.

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

RESOLUTION NO. 245-11: AUTHORIZATION TO EXECUTE AN AFFILIATION AGREEMENT WITH BOSTON UNIVERSITY LAW SCHOOL FOR A GRADUATE INTERN AT WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mrs. Crane presented the following:

WHEREAS, the Wayne County Department of Social Services (Wayne DSS) has periodically agreed to have student/graduate interns through various educational institutions; and

WHEREAS, Wayne DSS is desirous of having the services of a graduate intern of the Boston University Law School for an approximate 10 month period from approximately September 2011 to approximately June 2012; and

WHEREAS, the intern will be participating in a program through the Boston University Law School that will cover the primary expenses of salary and fringes; and

WHEREAS, the expenses incurred by the County re: this arrangement will be far outweighed by the benefits deriving to Wayne DSS; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to sign an Internship Agreement, subject to the review of the County Attorney, with the Boston University Law School.

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

RESOLUTION NO. 246-11: AUTHORIZATION TO EXTEND TEMPORARY ACCOUNT CLERK POSITION AT SOCIAL SERVICES

Mrs. Crane presented the following:

WHEREAS, Resolution No. 818-10 created a Temporary Account Clerk position for a period of three months with a possible extension of three months, or until the individual on medical leave returns to work; and

WHEREAS, the temporary position was filled on 2/7/11 for a period of three months which will expire 5/7/11; and

WHEREAS the Accounting unit is charged with the timely and accurate Application Registrations as well as estate recovery efforts which necessitates close involvement with the Legal and Medicaid Units in order to supply timely information for use in recoveries; and

WHEREAS, the individual in the Account Clerk position in Accounting that performs these duties continues to be out on work on a medical leave with no expected date of return, and

WHEREAS, this position is required to provide statutorily mandated Benefit Program

Registrations; therefore be it

RESOLVED, that the temporary position of Account Clerk is hereby extended for an additional three month period of 5/7/11 to 8/7/11, or until the individual on medical leave returns to work.

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

RESOLUTION NO. 247-11: AUTHORIZATION TO CREATE A TEMPORARY FULL TIME REGISTERED NURSE POSITION FOR WAYNE COUNTY PUBLIC HEALTH

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) has currently identified a candidate to fill the open Supervising Public Health Nurse (SPHN) position; and

WHEREAS, this individual is currently finishing her Bachelor's Degree in Nursing at Keuka College; and

WHEREAS, the minimum qualifications for a SPHN is a Bachelors Degree in Nursing as per Section 11.41 of Title 10 of the NYS Public Health Law; and

WHEREAS, WCPH would like to establish a temporary full time Registered Nurse position to hire this individual and then transition this individual to the SPHN position once the Bachelors Degree in Nursing has been completed in the next few months; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to create a temporary full time Registered Nurse position at Wayne County Public Health

A4011 Prevent

(appropriations)

\$35,832 to .51585 RPN (temp) FT

\$35,832 from .51334 SPHN

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

RESOLUTION NO. 248-11: AUTHORIZATION FOR MENTAL HEALTH DEPARTMENT TO SURPLUS VEHICLES

Ms. Park presented the following:

WHEREAS, the Mental Health Department has three vehicles in need of being classified as surplus; and

WHEREAS, the county garage has evaluated the vehicles for serviceability; and

WHEREAS, such evaluation concluded the following vehicles are either no longer worthy of being repaired; now, therefore, be it

RESOLVED, that the following vehicles are hereby declared surplus:

- #67-103, 1996 Chevrolet Cavalier, color purple, VIN # 1G1JC5249T7214918, mileage 123,054
- #67-118, 1997 Dodge Van, color Green, VIN # 2B5WB35Y7VK540593, mileage 123,531
- #67-111, 2001 Dodge Van, color Grey, VIN # 2B5WB35Y11K542771, mileage 110,053

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

RESOLUTION NO. 249-11: AUTHORIZATION FOR THE MENTAL HEALTH DEPT. TO PURCHASE A LASER PRINTER

Ms. Park presented the following:

WHEREAS, the Mental Health Department is in need of replacing a laser printer that is used in the department's accounting office to print specialized forms for insurance claims and billing statement purposes; now, therefore, be it

RESOLVED that the Mental Health Dept. is authorized to order and purchase a laser printer which will be procured through the County IT Dept. and in accordance with the County purchasing procedures, and at a cost not to exceed \$800.00.

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

adopted.

RESOLUTION NO. 250-11: AUTHORIZATION TO EXECUTE AFFILIATION AGREEMENT WITH CEDARVILLE UNIVERSITY FOR SOCIAL WORK PROGRAM

Ms. Park presented the following:

WHEREAS, Cedarville University has established an educational program for Social Work program; and

WHEREAS, Cedarville University desires to establish a contractual alliance for the purpose of providing adequate field work experience for said educational program with the Wayne County Nursing Home; now therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an agreement, on behalf of the Wayne County Nursing Home, with Cedarville University, effective May 31, 2011 to August 31, 2011, for the social work field work, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 251-11: AUTHORIZATION TO OBTAIN ONE CELL PHONE FOR WAYNE COUNTY PUBLIC HEALTH EMERGENCY PREPAREDNESS PROGRAM

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) Emergency Preparedness program is required to have certain job titles have 24 hour accessibility to respond to public health emergencies; and

WHEREAS, this cell phone is required to have several smartphone capabilities, such as internet access, speaker phone, texting, etc; and

WHEREAS, WCPH receives funding from the NYSDOH Emergency Preparedness program that will cover the cost of such phone; and

WHEREAS, WCPH can obtain a Blackberry Curve through the Building and Grounds office at a one time cost of \$29.99 with a monthly subscription cost of \$52.23; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized and directed to obtain one Blackberry Curve smartphone at a one time cost of \$29.99 with a monthly subscription cost of \$52.23, with a total cost not to exceed \$395.60 for the remainder of 2011.

A40114.54793 Bioterrorism

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

RESOLUTION NO. 252-11: AUTHORIZATION TO APPLY FOR FUNDING FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY CHILD PASSENGER SAFETY PROGRAM FROM 10/1/2011 THROUGH 9/30/2012

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) currently has funding to provide a child passenger safety seat program and would like to continue this program; and

WHEREAS, WCPH would apply for funding for the permanent fitting station to inspect car seats; coordinate major child safety seat check events; and continue the low income safety seat distribution program; now, therefore, be it

RESOLVED, the Director of Public Health is hereby authorized and directed to apply for this grant for an amount of \$15,000 for the period of October 1, 2011 through September 30, 2012 on behalf of the county of Wayne; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the agreement with the New York State Governor's Traffic Safety Child Passenger Safety Program, upon review and approval of the County Attorney, for an amount not to exceed \$15,000 for the period October 1, 2011 through September 30, 2012.

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

RESOLUTION NO. 253-11: AUTHORIZATION TO APPLY FOR FUNDING FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE TO SUPPORT A BICYCLE HELMET DISTRIBUTION PROGRAM FROM OCTOBER 1, 2011 THROUGH SEPTEMBER 30, 2012

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) has already established a successful bicycle helmet distribution program in Wayne County; and

WHEREAS, WCPH would like to apply for funding to continue the bicycle helmet distribution program for low-income families; now, therefore, be it

RESOLVED, the Director of Public Health is hereby authorized and directed to apply for this grant in an amount of \$10,000 for the period of October 1, 2011 through September 30, 2012 on behalf of the County of Wayne; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the agreement with New York State Governor's Traffic Safety Committee for the period of October 1, 2011 through September 30, 2012, for an amount not to exceed \$10,000, upon approval of the County Attorney as to form and content.

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

RESOLUTION NO. 254-11: AUTHORIZATION TO DECLARE EQUIPMENT AT WAYNE COUNTY PUBLIC HEALTH AS SURPLUS

Ms. Park presented the following:

WHEREAS, Wayne County Public Health's Early Intervention Program would like to declare a fax machine and copier as surplus; and

WHEREAS, each piece of equipment is still usable and can go to auction; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized and directed to declare the following pieces of equipment as surplus and to be disposed of as per the Wayne County Equipment Surplus policy:

2003 Brother Fax Machine – Model # FAX2900, Serial # U60074F3J472349

2002 Brother Copier (table top model) – Model # DCP8065DN, Serial # U61507E7J432242

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

RESOLUTION NO. 255-11: AUTHORIZATION TO SUBMIT WORKPLAN AND BUDGET AND CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH'S BUREAU OF IMMUNIZATION

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) provides immunizations and education to children and adults to reduce vaccine preventable diseases; and

WHEREAS, WCPH wishes to renew the contract with the New York State Department of Health (NYSDOH), Bureau of Immunization to provide this service for the period of April 1, 2011 through March 31, 2012 for the amount of \$46,745; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized and directed to submit a workplan and budget to the NYSDOH Bureau of Immunization for the period of April 1, 2011 through March 31, 2012; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract with the NYSDOH Bureau of Immunization for the period of April 1, 2011 through March 31, 2012 for the amount of \$46,745, with the approval of the County Attorney as to form and content.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Mr. Hammond. Upon

roll call, adopted.

RESOLUTION NO. 256-11: AUTHORIZATION TO AMEND 2011 EARLY INTERVENTION BUDGET AND TRANSFER OF FUNDS

Ms. Park presented the following:

WHEREAS, the Early Intervention Stimulus Award approved the extension of the clerk-typist position created with grant funding; and

WHEREAS, the 2011 county budget did not include \$8,954 of salaries or \$685 of Social Security for the clerk-typist associated with an extension of grant funding, but included \$1,263 for clerk-typist retirement and \$500 for office equipment that will not be used; and

WHEREAS, the 2011 revenue was under budgeted by \$7,372 due to the assumption that those funds would be received in 2010; now, therefore, be it

RESOLVED, that Wayne County Treasurer is hereby authorized to amend the 2011 Wayne County budget as follows:

A4016 Early Intervention

(revenues)

\$7,372 to .44625 EI Stimulus

(appropriations)

\$8,954 to .51104 Clerk-typist (7hr)

\$685 to .58200 Social Security

\$1,263 from .58100 Retirement

\$500 from .52200 Office Equipment

\$504 from .54166 Postage

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

RESOLUTION NO. 257-11: AUTHORIZATION TO EXECUTE CONTRACT RENEWAL FOR MICROFILM UNITS MAINTENANCE CONTRACT FOR WAYNE COUNTY HISTORIAN

Mrs. Collier presented the following:

WHEREAS, the Office of the County Historian has (1) Canon MS400, FP 400 and AC 100R microfilm reader, scanner and printing systems and also has (1) Canon MP90 and RFC 200 microfilm reader, scanner and printing system; and

WHEREAS, these systems has been maintained through contract for many years by Biel's Information Technology Systems; now, therefore, be it

RESOLVED, that a contract be renewal is hereby authorized at a cost not to exceed \$1,920.00 from budget account A7510.54424 per quote from Biel's; and be it further

RESOLVED, that the Chairman of the Board is hereby authorized to execute this contract upon appropriate review by the Office of the County Attorney.

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

RESOLUTION NO. 258-11: AUTHORIZATION TO EXECUTE PARTICIPATING PROVIDER CONTRACT WITH EBS-RMSCO

Mrs. Collier presented the following:

WHEREAS, the County of Wayne has previously contracted with POMCO (resolution 751-08) to provide Third-party Administrative Services for health and dental claim adjudication to the Wayne County Jail; and

WHEREAS, the Wayne County Health Care Trust Plan is changing its Third-party Administrator from POMCO to EBS-RMSCO effective April 1, 2011 and it is advantageous to Wayne County to have EBS-RMSCO provide health and dental claim adjudication services to the Wayne County Jail; and

WHEREAS EBS-RMSCO has agreed to provide this service at the rate currently established: \$944 per month for the period April 1, 2011 – December 31, 2011; now, therefore,

be it

RESOLVED that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with EBS-RMSCO for health and dental claim adjudication services to the Wayne County Jail, for the period April 1, 2011 – December 31, 2011; and be it further

RESOLVED, that the County Treasurer is authorized to pay such monthly fees as are billed by EBS-RMSCO.

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

RESOLUTION NO. 259-11: AUTHORIZATION TO EXECUTE CONTRACT WITH EBS-RMSCO FOR FLEXIBLE SPENDING PLAN ADMINISTRATION FOR PERIOD BEGINNING APRIL 1, 2011 THROUGH DECEMBER 31, 2011

Mrs. Collier presented the following:

WHEREAS, the County of Wayne has established a Flexible Spending Account Plan (FSA) and Health Reimbursement Accounts Plan (HRA) for employees in conformance with the IRS code; and

WHEREAS, the County of Wayne has previously contracted with POMCO (resolution 1008-03, most recently revised in resolution 750-08) to provide administrative services for the FSA and HRA plans; and

WHEREAS, the Wayne County Health Care Trust Plan is changing its Third-party Administrator from POMCO to EBS-RMSCO effective April 1, 2011 and it is advantageous to Wayne County to have EBS-RMSCO administer the FSA and HRA plans; and

WHEREAS EBS-RMSCO has established a minimum fee of \$55.00 per month, plus \$2.95 per enrollee in one benefit (FSA or HRA Plan) and \$3.95 for an enrollee in two benefits (FSA and HRA Plans); now, therefore, be it

RESOLVED that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with EBS-RMSCO for the administration of the HRA and FSA Plans at the rates noted above for the period April 1, 2011 – December 31, 2011; and be it further

RESOLVED, that the County Treasurer is authorized to pay such monthly fees as are billed by EBS-RMSCO.

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

RESOLUTION NO. 260-11: AUTHORIZATION TO REVISE THE WAYNE COUNTY WORKPLACE SMOKING POLICY

Mrs. Collier presented the following:

WHEREAS, the Wayne County Board of Supervisors adopted a Workplace Smoking Policy (Resolution No. 512-98); and

WHEREAS, the Wayne County Board of Supervisors adopted a Local Law on July 5, 2000 (Resolution No. 471-00) providing for changes in the Sanitary Code in relation to clean indoor air; and

WHEREAS, the previously adopted policy is not in conformance with the Local Law; and

WHEREAS, the County/CSEA Health and Safety Committee has reviewed the revised policy and recommends that it be adopted by the Board of Supervisors; now, therefore, be it

RESOLVED, that the following revised policy dated March 28, 2011 is hereby adopted by the Wayne County Board of Supervisors, copy of said policy is hereby on file with the Clerk of the Board, and this revised policy will be distributed to all County Departments for implementation:

COUNTY OF WAYNE

WORKPLACE SMOKING POLICY

The County of Wayne passed a Local Law on July 5, 2000 with the intent and purpose of preserving and improving the public health by improving indoor air quality in public places, including places of employment. Places of employment included "any enclosed area under the control of a public or private employer which employees normally frequent during the course of employment..."

In accordance with the above referenced local law, the following Workplace Smoking Policy is hereby adopted:

1. Smoking is prohibited in all County Buildings which serve as places of employment and/or work areas for its employees without exception. Smoking is prohibited on all County property adjacent to such buildings, *as marked*. County parks and buildings located at those parks are exempted from this prohibition.
2. Smoking is prohibited in all County-owned vehicles without exception.
3. Copies of this policy shall be prominently posted in the workplace. A written copy of the policy shall be supplied upon request to any employee or prospective employee.

Previous policy (Resolution No. 512-09/21/98) is no longer in effect.

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

RESOLUTION NO. 261-11: AUTHORIZATION TO RENT LIFT GATE EQUIPPED TRUCK TO UTILIZE IN THE REMOVAL OF OLD VOTING MACHINES AND TO SALVAGE OLD VOTING MACHINES AS SCRAP

Mrs. Collier presented the following:

WHEREAS, the County has issued an RFP for removal and salvage of the old voting machines; and

WHEREAS, no proposals were submitted; and

WHEREAS, it is most efficient to rent a truck and dispose of the machines at an appropriate facility; and

WHEREAS, the County Administrator has reviewed the project with the Highway Superintendent; and

WHEREAS, the Highway Department can provide a CDL Driver and related labor support for the project; now, therefore, be it

RESOLVED, that the Highway Superintendent is authorized to obtain three quotes and rent a truck from the company providing the least overall cost to the county not to exceed \$500.00 in rental costs; and be it further

RESOLVED, that the cost of the truck rental shall be charged to the Board of Elections 2011 budget.

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

RESOLUTION NO. 262-11: AUTHORIZATION TO EXECUTE GRANT APPLICATION/CONTRACT FOR HHS VOTING ACCESS FOR INDIVIDUALS WITH DISABILITIES/POLLING PLACE ACCESS IMPROVEMENT GRANT T003136/\$3874.00, AND AMEND 2011 BUDGET

Mrs. Collier presented the following:

WHEREAS, On December 16, 2009, Congress appropriated funds for the Voting Access for Individuals with Disabilities (VOTE) grant program for use by States. NYS Board of Elections proportionally sub allocated the 2010 VOTE grant funds received for use by the county boards of elections; and

WHEREAS, Wayne County has received a grant from NYS, HHS #T003136, for \$3874.00 to cover such expenses to implement provisions of HAVA without matching funds; now therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to sign the contract, subject to the County Attorney's approval; for use of grant funds by the Wayne County Board of Elections; and be it further

RESOLVED, that the County Treasurer be directed to amend the 2011 County Budget as follows:

A1450 BOARD OF ELECTIONS

\$3,874 to .43961 HAVA State Aid

\$3,874 to .54498 NYS Polling Access Imp T003136

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

Mrs. Crane addressed the Board to ask if this grant money was earmarked for anything specific. County Administrator stated that this was not discussed in committee but would make contact and get details.

Upon roll call, adopted.

RESOLUTION NO. 263-11: 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 2011; 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, May 5, 2011 at 12:30 p.m. in the Board of Supervisors' first floor conference room 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.

Mrs. Collier moved the adoption of the resolution. Seconded by Mr. Hammond.

Questions were asked about any application deadlines for the Community Development Block Grant Small Cities Program.

Margaret Churchill responded by saying that there was no deadline for this phase of the project as this is the opening round. Mrs. Churchill explained the requirements of conducting two public hearings and that they were simply fulfilling the requirements necessary.

Sharon Lilla, Wayne County Planning Director, contributed that fulfilling these public hearing requirements puts the county in a better position for getting grants for economic development.

Upon roll call, adopted.

RESOLUTION NO. 264-11: 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"), as lead agency, 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 approve that Agricultural District Number 1 be modified to by adding the following parcels (the "Project");

Tax ID Num	Municipality	Name	Acres	Parcel Location	Street Location
74112-17-112166	Town of Galen	Smith Family Acres LLC	87.7	00000	Geneva St
74111-05-086982	Town of Galen	Smith Family Acres LLC	2.7	00000	Geneva St
70117-00-518693	Town of Sodus	Donna J. Meyer	18.4	00000	N.GenevaRd
70118-00-338832	Town of Sodus	Donna J. Meyer	21.45	07275	Halcus Rd
66115-00-518685	Town of Marion	James Weinschreider	27.68	04971	E Williamson Rd
TOTAL ACREAGE			167.5		

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 "SEAF"), a copy of which is on file with the Clerk of the Board of Supervisors; and

WHEREAS, the County has examined the SEAF 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 SEAF, and based further upon the Board's knowledge of the areas 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 SEAF.
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 SEQRA Act.

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

RESOLUTION NO. 265-11: APPROVE MODIFICATION OF AGRICULTURAL DISTRICT 1

Mr. Spickerman presented the following:

WHEREAS, New York State enacted legislation enabling landowners to apply to the

Board of Supervisors for inclusion of predominantly viable agricultural land into certified agricultural districts prior to the required eight year review period; and

WHEREAS, this legislation requires the County to establish an annual 30 day review period during which landowners may request inclusion in a certified agricultural district; and

WHEREAS, the Board of Supervisors designated January 1 to January 31 as the annual 30 day review period when landowners may submit a request to the County for inclusion in certified agricultural districts prior to established agricultural district review periods; and

WHEREAS, the following landowners have requested to have the following tax parcels included in a certified agricultural district;

Tax ID Num	Municipality	Name	Acres	Parcel Location	Street Location
74112-17-112166	Town of Galen	Smith Family Acres LLC	87.7	00000	Geneva St
74111-05-086982	Town of Galen	Smith Family Acres LLC	2.7	00000	Geneva St
70117-00-518693	Town of Sodus	Donna J. Meyer	18.4	00000	N Geneva Rd
70118-00-338832	Town of Sodus	Donna J. Meyer	21.45	07275	Halcus Rd
66115-00-518685	Town of Marion	James Weinschreider	27.68	04971	E Williamson Rd
TOTAL ACREAGE			167.5		

and

WHEREAS, the Agricultural Development Board has reviewed and approved this modification and has determined that the land requested for inclusion in the agricultural district is predominantly viable agricultural land; and

WHEREAS, the Board of Supervisors has conducted the required public hearing; now, therefore, be it

RESOLVED, that Wayne County Agricultural District No. 1 is hereby modified to include the agricultural land identified by their tax parcel numbers in the above referenced chart.

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

RESOLUTION NO. 266-11: AUTHORIZE REAPPOINTMENTS AND NEW APPOINTMENT TO THE WAYNE COUNTY PLANNING BOARD

Mr. Spickerman presented the following:

WHEREAS, the terms of office of the following members of the Wayne County Planning Board will expire on April 30, 2011:

Kevin Rooney, 3037 Hance Road, Macedon, New York 14502;

Steve Guthrie, P.O. Box 461, North Rose, New York 14516

and

WHEREAS, the Savannah Town Supervisor has recommended that the following person be appointed to fill an existing vacancy from the Town of Savannah:

David Broach, 14000 Route 31, Savannah, New York 13146

now, therefore, be it

RESOLVED, that Mr. Rooney and Mr. Guthrie are hereby reappointed to the Wayne County Planning Board for a three year term of office effective May 1, 2011 and expiring April 30, 2014; and be it further

RESOLVED, that Mr. Broach is appointed to the Wayne County Planning Board for a three year term of office effective May 1, 2011 and expiring April 30, 2014.

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

RESOLUTION NO. 267-11: AUTHORIZATION TO APPOINT MEMBERS TO THE ROCHESTER (HENRIETTA) REGIONAL MARKET

Mr. Spickerman presented the following:

RESOLVED, that the following individuals are hereby appointed to the Rochester Regional Market to replace Wayne County Representatives Elliot Warren and Ken Frankie:

Mark Lagoner
6895 Lake Avenue
Williamson, NY 14589

Richard Vercruysse
596 Beaver Creek
Macedon NY 14502

and be it further

RESOLVED, that a copy of this resolution be sent to the Regional Market Director William Mulligan, 900 Jefferson Road, Rochester, NY 14623.

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

RESOLUTION NO. 268-11: AUTHORIZATION TO ADVERTISE FOR SEALED BIDS FOR SALE OF SCHOEPFEL PROPERTY

Mr. Spickerman presented the following:

WHEREAS, Wayne County took title to the Schoepfel Property (the "Site") in the Town of Sodus for the purposes of remediating environmental contamination; and

WHEREAS, Wayne County obtained funding from the NYS Department of Environmental Conservation through the Clean Air/Clean Water Bond Act to investigate and document site conditions, determine the public health and environmental impacts of the Site and to develop and evaluate appropriate remedial actions; and

WHEREAS, the County completed all required remedial actions and the NYS Department of Environmental Conservation issued an easement for the property that authorizes its use for commercial or industrial purposes only; and

WHEREAS, the County caused the property to be remediated so it could be returned to the tax rolls; now, therefore, be it

RESOLVED, that the Planning Director is authorized and directed to advertise for sealed bids for the sale of the Schoepfel Property located in the Town of Sodus, subject to approval as to form and content by the County Attorney; and be it further

RESOLVED, that bid packages will include all information pertaining to the easement restrictions and reporting requirements for the Site; and be it further

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

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

RESOLUTION NO. 269-11: AUTHORIZATION TO AMEND CONTRACT FOR WATER TREATMENT SERVICES

Mr. LeRoy presented the following:

WHEREAS, Resolution No. 340-10 awarded Water Treatment Services to Waterwise of America, Inc.; and

WHEREAS, Wayne County is in need of water treatment services for the Nursing Home HVAC system; and

WHEREAS, Waterwise of America, Inc. has provided a quote that is fair and reasonable based on the other facilities that we currently have under contract in the amount of \$1,920.00 per year; and

WHEREAS, they have also recommended we change our existing feed pump manifold and injector at a one time cost of \$489.00; now, therefore be, it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized sign an amended agreement with Waterwise of America, subject to approval by the County Attorney as to form and content for the period of May 1, 2011 through April 30, 2013 at a cost not to exceed \$2,409.00.

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

RESOLUTION NO. 270-11: AUTHORIZATION TO DECLARE EQUIPMENT SURPLUS FOR THE WAYNE COUNTY BUILDINGS AND GROUNDS DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, the Wayne County Buildings and Grounds Department has equipment that has either outlived its useful life and or is no longer needed by the Department as listed below:

- 1 - 2005 Exmark Lawnmower 72" Lazer Equipment ID# 2146
- 1 - 7'-3 point hitch broom attachment
- 1 - 6' tractor blade front end attachment
- 1 - 6' roller with spikes
- 1 - Yardman Push mower
- 1 - John Deere Push mower
- 1 - Sarlo walk behind mower 24"
- 1 - Homelite Chain Saw 16"
- 1 - Ryobi String Trimmer
- 1 - Weedar String Trimmer
- 1 - 14.9x 26" Tractor Tire

now, therefore, be it

RESOLVED, that all equipment is declared surplus and will be disposed of at the upcoming Municipal auction in Palmyra, all funds received would be put into the County General Fund.

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

RESOLUTION NO. 271-11: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH WILLIAMSON HIGH SCHOOL AND THE WILLIAMSON/PULTNEYVILLE HISTORICAL SOCIETY TO HOST THE CAPTAINS AND SAILORS 5K RACE

Mr. LeRoy presented the following:

WHEREAS, the Williamson High School and the Williamson/Pultneyville Historical Society has requested the use of Forman Park for the staging of the Captains and Sailors 5K Race on Saturday, July 16, 2011; and

WHEREAS, the Williamson High School and the Williamson/Pultneyville Historical Society will set up the course and transition area in a designated section of the Forman Park Parking lot commencing on July 16 at 7:00 AM; and

WHEREAS, the Williamson High School and the Williamson/Pultneyville Historical Society will provide the liability insurance required by Wayne County; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a license Agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with the Williamson High School and the Williamson/Pultneyville Historical Society, for the purposes of staging the Captains and Sailors 5K Race on July 16, 2011 based out of Forman Park.

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

RESOLUTION NO. 272-11: AUTHORIZATION TO SEEK REQUESTS FOR PROPOSALS

FOR THE DEMOLITION OF COUNTY OFFICE BUILDING #0007, THE FORMER ICF BUILDING LOCATED AT THE ROUTE 31 COMPLEX

Mr. LeRoy presented the following:

WHEREAS, the county departments that occupied the former ICF Building (Intensive Care Facility), county office building #0007, will be relocated into the Wayne County Public Safety Building in May 2011; and

WHEREAS, said building is no longer needed and would require substantial repair and renovation if it were to be occupied and used for County business purposes again; now, therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized and directed to prepare and distribute a Request for Proposals for the demolition of said building; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds shall review proposals and present a recommendation to the Standing Committee and the Board of Supervisors for approval.

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

RESOLUTION NO. 273-11: AUTHORIZATION TO CREATE POSITIONS WITHIN BUILDINGS AND GROUNDS

Mr. LeRoy presented the following:

WHEREAS, Wayne County is currently planning the relocation of several Departments into the newly renovated Public Safety Building; and

WHEREAS, this move was anticipated and staffing levels were discussed and reviewed by the Public Works Committee during the 2011 Budget Process; and

WHEREAS, the adopted 2011 Budget for Buildings and Grounds included one new Senior Maintenance Mechanic and one new Maintenance Mechanic position; now, therefore, be it

RESOLVED, that one new Senior Maintenance Mechanic, and One new Maintenance Mechanic position be created within the Buildings and Grounds Budget for the purposes of staffing the new Public Safety Building.

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

Supervisor Groat asked what the total cost for filling these two positions was.

Mr. Marquette responded with a cost of \$115,000 that includes employee benefits; and that this figure would fund said position through to balance of this year.

Upon roll call, all Supervisors voted Aye, except Supervisor Groat who voted Nay. The Chairman declared the Resolution adopted.

RESOLUTION NO. 274-11: AUTHORIZATION TO PURCHASE VOICE MAIL SERVER FOR COUNTY DEPARTMENTS

Mr. LeRoy presented the following:

WHEREAS, the voice mail system has been failing to operate properly over the past few weeks; and

WHEREAS, Fronrunner Network Systems has informed us that the existing server is no longer supported by the manufacturer; and

WHEREAS, Fronrunner has provided a proposal as per NYS OGS Contract No. PT58291, in the amount of \$21,956.00 for the server and associated equipment and \$950 for labor to install, for a total of \$22,906.00; now, therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to purchase the equipment as quoted from Fronrunner in the amount of \$22,906.00; and be it further

RESOLVED, that the Wayne County Treasurer is hereby authorized to amend the 2011 Wayne County Budget as follows:

A1990 CONTINGENT FUND GENERAL

\$22,906 from .54000 Contractual Expenses

A1615 BUILDINGS AND GROUNDS

\$21,956 to .52201 Computer Equipment

\$950 to .54000 Contractual Services

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

Mr. Plant commented that he would like to propose that voice mail be installed in every county department.

Upon roll call, adopted.

RESOLUTION NO. 275-11: AUTHORIZATION TO AMEND 2011 COUNTY BUDGET FOR 2010 CONTRACTUAL SOIL CONSERVATION EXPENSES

Mr. LeRoy presented the following:

WHEREAS, Wayne County contracts with the Wayne County Soil and Water Conservation District to provide drainage project services; and

WHEREAS, \$24,377 of available funds for drainage projects completed in 2010 were not encumbered during 2010; and

WHEREAS, the \$24,377 of 2010 unencumbered drainage project expenses were not paid until 2011; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is hereby directed to transfer \$24,377 from the Unappropriated

General Fund Balance; and be it further

RESOLVED that the County Treasurer is hereby authorized to amend to the 2011 County Budget as follows:

A8730 Soil Conservation

\$24,377 to .54400 Contracted Services

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

RESOLUTION NO. 276-11: AUTHORIZATION TO SET POLICY FOR SIDEWALK REPLACEMENT ON COUNTY HIGHWAY RECONSTRUCTION PROJECTS

Mr. LeRoy presented the following:

WHEREAS, there are many locations along Wayne County Highways that have concrete sidewalks located within or outside of the highway right-of-way; and

WHEREAS, the Wayne County Highway Department does not own or have the maintenance responsibility of any sidewalks within or outside of the County right-of-way; and

WHEREAS, often times during a highway reconstruction project, the existing sidewalk is in conflict with the proposed widening or profile changes and it is necessary to replace or relocate the existing sidewalks; now, therefore, be it

RESOLVED, that the County Highway Department will be responsible for the costs associated with replacing sidewalks that are adversely impacted by the highway project; and be it further

RESOLVED, that the newly installed sidewalks shall be constructed in accordance with current codes and standards; and be it further

RESOLVED, that if the Municipality wishes to extend sidewalks within the project limits, this cost shall be considered a betterment and will be paid for by the Municipality; and be it further

RESOLVED, that the Wayne County Highway Department will not be responsible for any future maintenance associated with the existing or newly installed sidewalks along the County Highways; and be it further

RESOLVED, that the Chairman of the Board of Supervisors would be authorized to enter into an agreement with a municipality, with the approval of the County Attorney, that the County will be liable for the reconstruction costs of all existing sidewalks and thereafter the municipality will be responsible for the maintenance of said sidewalks only in accordance with State and/or local ordinances.

Mr. Spickerman moved the adoption of the resolution. Seconded by Mr. Colacino.

Mr. Hammond state that he could not support this resolution as he feels that the County should not be held responsible; and that today's resolution does not go far enough to exclude the County from liability on these projects.

Upon roll call, all Supervisors voted Aye except Supervisor Hammond who voted Nay. The Chairman declared the Resolution adopted.

RESOLUTION NO. 277-11: AUTHORIZATION TO REJECT ALL BIDS FOR ONE (1) LOWBOY CONSTRUCTION TRAILER FOR THE WAYNE COUNTY HIGHWAY DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, the Wayne County Highway Department has the need to replace a 1997 Talbert lowboy construction trailer; and

WHEREAS, the Equipment Listing Addendum to the 2011 budget included a lowboy construction trailer; and

WHEREAS, the County Highway Superintendent requested to advertise to purchase one lowboy construction trailer and was granted approval in Resolution No. 126-11; and

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for a lowboy construction trailer for the County Highway Department, and the bids were open on Monday, March 21, 2011 at 1:30 p.m. and the following bids were received:

Globe Trailers	Globe Trailer	\$43,849.92
Vantage Equipment	Towmaster Trailers	\$47,836.00***
Five Star Equipment	Eager Beaver trailer	\$54,326.00

*** Bid has a deduct \$730 for equipment red

*** Bid has an add \$3,937 for 12' bottom taper for loading deck

WHEREAS, the County Highway Superintendent has carefully reviewed the specifications and bids from each bidder and feels that certain bid specifications were not set forth with sufficient clarity making it impossible to accurately evaluate the submitted bids; now, therefore, be it

RESOLVED, that all of the bids received be rejected and the County Highway Superintendent revise the bid specifications; and be it further

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

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

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

RESOLUTION NO. 278-11: AUTHORIZATION TO ENTER AGREEMENT WITH THE TOWNS OF PALMYRA AND ONTARIO FOR ROADSIDE MOWING

Mr. LeRoy presented the following:

WHEREAS, the Towns of Palmyra and Ontario have expressed interest in providing roadside mowing services on county roadways in the Towns of Palmyra and Ontario as they have done in the past several years; and

WHEREAS, the roadside mowing in Palmyra and Ontario benefits the towns and county; and

WHEREAS, the Town of Palmyra will do 4 complete mowings on Wayne County roads within the Town of Palmyra with a total of 23.8 miles; and

WHEREAS, the Town of Ontario will do 4 complete mowings on Wayne County roads within the Town of Ontario with a total of 25.5 miles, now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the Towns of Palmyra and Ontario for mowing county roadsides located in the towns at a rate of \$220.00 per mile for the 2011 season.

Mr. Kelsch moved the adoption of the resolution. Seconded by Mr. Colacino.

Mrs. Crane addressed the board to ask if this was an increase rate for the 2011 season and was confirmed that this was an increase of \$5.00 per hour.

Upon roll call, adopted.

RESOLUTION NO. 279-11: AUTHORIZATION TO ACCEPT LOW BID FOR ONE (1) VACUUM STREET SWEEPER FOR THE WAYNE COUNTY HIGHWAY DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, the Wayne County Highway Department has the need to replace a 1999 GMC/Vacall Street sweeper; and

WHEREAS, the Equipment Listing Addendum to the 2011 budget included a vacuum street sweeper; and

WHEREAS, the County Highway Superintendent requested to advertise to purchase one vacuum street sweeper and was granted approval in resolution 126-11; and

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for a vacuum street sweeper for the County Highway Department, and the bids were open on Monday, March 21, 2011 at 2:00 p.m. and the following bids were received:

Vantage Equipment	Vacall	\$205,521.00 **
Joe Johnson Equipment	Elgin Megawind	\$202,608.00

** Bid has a deduct \$2,900 for white cab with red body

WHEREAS, the County Highway Superintendent has carefully examined the specifications and warranties of both machines, and

WHEREAS, the bid submitted by Joe Johnson Equipment does not meet the bid requirements for the warranty of the truck engine; now, therefore, be it

RESOLVED, that the bid submitted by Joe Johnson be rejected, and be it further

RESOLVED, that the bid submitted by Vantage Equipment of Syracuse, NY for the Vacall sweeper in the bid price of \$202,621.00 which allows for the deduct of \$2900 for white cab with red body in accordance with the specifications, is hereby accepted; and be it further

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

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

RESOLUTION NO. 280-11: ESTABLISHING HOURLY WAGES FOR SEASONAL POSITIONS IN THE HIGHWAY DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, the Highway Department has annually hired one (1) Herbicide Applicator, (1) Seasonal Engineer Tech, five (5) Seasonal Laborers, and ten (10) Seasonal Motor Equipment Operators #2's; and

WHEREAS, the 2011 budget contains funds for these position; and

WHEREAS, it is necessary for the Board of Supervisors to establish the hourly wage for said positions; and

WHEREAS, the wages for these positions will remain the same as in 2010; now, therefore, be it

RESOLVED, that the Wayne County Highway Superintendent is hereby authorized to compensate the following seasonal positions at the hourly rates stated for the Wayne County Highway Department:

- 1 Herbicide Applicator - \$32.00
- 1 Engineer Technician, Seasonal - \$13.00
- 5 Seasonal Laborers
 - \$8.75 for first seasonal year
 - \$9.75 for more than one (1) year experience
- 10 Seasonal Motor Equipment Operator #2
 - \$14.751 for first seasonal year
 - \$15.751 for more than one (1) year experience

Mrs. Bender moved the adoption of the resolution. Seconded by Mr. Lauderdale. Upon roll call, all Supervisors voted Aye except Supervisor Bender who Abstained from voting. The Chairman declared the Resolution adopted.

RESOLUTION NO. 281-11: DECLARE VEHICLES AND EQUIPMENT SURPLUS AND AUTHORIZE SALE OF VEHICLES AT MUNICIPAL AUCTION

Mr. LeRoy presented the following:

WHEREAS, each year the Wayne County Highway has surplus vehicles and equipment that is no longer needed; and

WHEREAS, the annual municipal equipment auction held in Palmyra will auction the surplus vehicles and equipment for a reasonable fee; now, therefore, be it

RESOLVED, that the following list of vehicles and equipment is no longer of use by Wayne County Highway and hereby declared surplus and are to be sold at the annual auction of municipal equipment at the Palmyra Town Highway Department on Saturday, May 14, 2010:

- 2000 Mack Tandem Axle Dump Truck – VIN 1M2P264C6YM030152
- 1993 Case 1085C Excavator – VIN JAK0032696
- 1990 Chevy C-7000 Bucket Truck with Altec Boom - VIN 1GBP7D1G6LV10182
- Two (2) 2003 Echo CS-300 Chain saws
- 1994 Power Screen Radial Stacker model M-100

and be it further

RESOLVED, that the proceeds from the sale of the aforementioned highway equipment, shall be deposited into the Machinery Revenue Fund Account DM99990.42655:

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

RESOLUTION NO. 282-11: AUTHORIZATION TO AMEND THE 2011 COUNTY BUDGET FOR ALS SERVICES

Mr. Plant presented the following:

WHEREAS, it has been previously noted that training expenses for the ALS Services department for new certifications and re-certifications required for department employees will cause the department to incur additional expenses for 2011 beyond those originally identified during the budget development process; now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to make the following amendments to the 2011 County budget, within the A3644 ALS Services department:

A3644 ALS Services

(revenues)

\$5,000 to .41615 Other Third Party Payer

(appropriations)

\$5,000 to .54483 Training – Seminars & Schools

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

RESOLUTION NO. 283-11: AUTHORIZATION TO AMEND 2011 BUDGET TO REFLECT CHANGE OF CLERICAL SUPPORT FROM FULL TIME TO PART TIME FOR STOP DWI COORDINATOR

Mr. Plant presented the following:

WHEREAS, the Stop DWI Coordinator has been informed that the Secretary to the Stop DWI Chairman will be vacating the position to accept employment in another department; and

WHEREAS, the County Administrator has review the position with the Stop DWI Coordinator; and

WHEREAS, the Stop DWI Coordinator has indicated that the amount of clerical support for the position may be reduced to 30 hours per week; and

WHEREAS, the reduction from a full time to part time position will also reduce the fringe benefits costs associated with the position; now, therefore, be it

RESOLVED, that the position of Secretary to the Stop DWI Chairman-PT is hereby created at an hourly rate of \$13.81 not to exceed thirty (30) hours per week effective April 20, 2011; and be it further

RESOLVED, that the full time position of Secretary to the Stop DWI Chairman is hereby abolished effective April 25, 2011; and be it further

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

A3315 Stop DWI

(revenues)

\$12,425 from .42615 Fines

(appropriations)

\$2,235 from .51017 Secy-Chairman/DWI

\$ 189 from .58200 Payments to Social Security

\$10,001 from .58400 Hospitalization

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

RESOLUTION NO. 284-11: AUTHORIZE AGREEMENT WITH MONROE COUNTY MEDICAL EXAMINER FOR COMPREHENSIVE MEDICO LEGAL DEATH INVESTIGATION SERVICES FROM 2011-2013

Mr. Plant presented the following:

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement with the Monroe County Medical Examiner, contingent upon review and approval as to form and content by the County Attorney, for the provision of comprehensive medico legal death investigation services including autopsy and post-mortem toxicology in cases falling under the statutory jurisdiction of the Medical Examiner, for the period January 1, 2011 through December 31, 2013; and be it further

RESOLVED, that the annual fee for four cases shall be \$5,044 in 2011, \$5,170 in 2012 and \$5,299 in 2013; and be it further

RESOLVED, that any additional cases requiring a full autopsy, beyond the initial four cases per year, shall cost Wayne County \$1,500; and be it further

RESOLVED, that if additional cases beyond the initial four cases per year referred to Monroe County require only a blood and descriptive type autopsy, shall cost Wayne County \$750.

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

RESOLUTION NO. 285-11: AUTHORIZE AMENDING 2011 DISTRICT ATTORNEY BUDGET AND PURCHASING OF EQUIPMENT WHICH IS GRANT FUNDED

Mr. Plant presented the following:

WHEREAS, the District Attorney received a Byrne/JAG Video Recording of Statements

Grant in the amount of \$17,972.00 to purchase equipment for the Video Recording of Statements with four local law enforcement agencies having been approved to participate-Wayne County Sheriff's Department, Lyons Village Police Department, Newark Village Police Department and Macedon Town Police Departments.

RESOLVED, the District Attorney is authorized to purchase such Video Recording Equipment utilizing 100% grant funds according to county purchasing procedures and authorization for the County Treasurer to amend the 2011 County Budget for the District Attorney as follows:

A1165- District Attorney

(revenues)

\$17,972.00 to .43322 Legislative Grant – DA

(appropriations)

\$17,972.00 to .52500 Other Equipment.

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

RESOLUTION NO. 286-11: ESTABLISHING SALARY FOR VACANT PART TIME ASSISTANT DISTRICT ATTORNEY POSITION

Mr. Plant presented the following:

WHEREAS, the current appointed part-time assistant district has resigned March 30, 2011; and

WHEREAS, the position will be need to be filled on April 1, 2011; and

WHEREAS, Aid to Prosecution State Grant will pay \$18,000 salary and fringe benefits; now, therefore, be it

RESOLVED, the salary for the for the District Attorney's part time Assistant District Attorney position is hereby set at \$18,000 per annum, with no secretarial allowance reimbursement.

Mr. Lauderdale 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. 287-11: AUTHORIZATION TO ACCEPT \$1500 DONATION AND PURCHASE EMERGENCY RESPONDER PHOTO IDENTIFICATION SUPPLIES AND AMEND BUDGET

Mr. Plant presented the following:

WHEREAS, Wayne County Rural Health Network is desirous of donating \$1,500 and requests that the donation be directed to Emergency Responder Photo Identification supplies; and

WHEREAS, the Wayne County Office of Emergency Management is responsible for the purchase of said supplies; now, therefore, be it

RESOLVED, that the Wayne County Office of Emergency Management is authorized to accept said donation and use the proceeds to purchase Emergency Responder Photo Identification supplies; and be it further

RESOLVED, that the County Treasurer is hereby authorized to amend the 2011 county budget as follows:

A9999 Other

(revenues)

\$1,500 to .2705 Gifts and Donations

A3640-Emergency Management:

(appropriations)

\$1,500 to .54126 Field Supplies

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

RESOLUTION NO. 288-11: AUTHORIZATION TO TRANSFER REVENUE ACCOUNT FUNDS FROM A HOMELAND SECURITY REVENUE ACCOUNT TO A PORT SECURITY 2009 REVENUE ACCOUNT

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office received a grant (2009-PU-R1-0252) in the amount of \$233,051 from the Federal Emergency Management Agency (FEMA) under the American Recovery and Reinvestment Act for an Underwater Search and Recovery Vehicle (161,376) and Emergency Response Team related equipment (\$71,675), for the purpose of enhancing the Nation's port and maritime infrastructure, and to prevent, protect, respond to, and recover from threats or acts of terrorism; and

WHEREAS, the Wayne County Board of Supervisors previously approved the acceptance of the grant (Resolution No. 715-09); and

WHEREAS, the Wayne County Board of Supervisors previously approved the modification of the 2011 County Budget and the expenditure of the remaining grant funds, specifically one Mobile Data Terminal for the Underwater Search and Recovery Vehicle totaling \$5,019 and Emergency response Team related equipment totaling \$30,075 (Resolution No. 183-11); and

WHEREAS, the current revenue account for such grant (account number .43302) is an account used for other Federal Homeland Security grants; and

WHEREAS, a review of the accounting procedures for the aforementioned Port Security 2009 grant by the Federal Emergency Management Agency outlined the need for a separate revenue account for such Port Security 2009 grant funds so those revenue funds are not commingled with grants funds designated for other purposes; and

WHEREAS, The Treasurer's Office has established new revenue accounts in the Sheriff – Recreational Safety and Sheriff – Road Patrol departments for the aforementioned Port Security 2009 grant (account Number .43303); and

WHEREAS, The Sheriff is requesting that the funds in resolution No. 183-11 totaling \$35,094 in the current Homeland Security revenue accounts (.43302) be transferred to the newly established Port Security 2009 grant revenue accounts (.43303); now, therefore, be it

RESOLVED, that the Wayne County Treasurer is authorized to amend the 2011 Wayne County budget as follows:

A3111 Sheriff – Recreational Safety

(Revenue)

\$5,019 from .43302 Homeland Security

\$5,019 to .43303 Port Security 2009

A3114 Sheriff – Road Patrol

(Revenue)

\$30,075 from .43302 Homeland Security

\$30,075 to .43303 Port Security 2009

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

RESOLUTION NO. 289-11: AUTHORIZATION TO PURCHASE CRIME SCENE VEHICLE UPGRADE EQUIPMENT AND SURVEILLANCE UPGRADE EQUIPMENT AS SOLE SOURCE PURCHASES

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office received a grant from the US Department of Justice in the amount of \$25,334 for the purchase of crime scene related equipment (Resolution # 595-09); and

WHEREAS, the 2011 County Budget was amended and the Sheriff was authorized to expend the remaining grant funds of \$15,484 (Resolution 31-11); and

WHEREAS, part of the remaining purchases authorized under said grant are equipment upgrades to the Sheriff's crime vehicle and additional surveillance equipment; and

WHEREAS, the Sheriff's crime scene vehicle is equipped with "Sirchie" brand crime scene equipment and the needed upgrade equipment, in order to be compatible, must also be "Sirchie" brand, available only from "Sirchie," at a cost of \$5634.00; and

WHEREAS, the current surveillance equipment in use is "Coleman Technologies" equipment and the needed upgrade equipment, in order to be compatible, must be "Coleman Technologies" equipment, available only from "Coleman Technologies," at a cost of \$7,300.00; and

WHEREAS, the Sheriff is requesting authorization to purchase the above stated equipment as sole source purchases under the purchasing policies and procedures set forth in section II. 11.b of Wayne County Resolution 013-10, at a total cost not to exceed \$12,934.00; at no cost to County taxpayers; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to purchase crime scene vehicle upgrade equipment from "Sirchie," and upgrade surveillance equipment from "Coleman Technologies," as sole source purchases under section 11.b of Wayne County Resolution 013-10, at a total cost not to exceed \$12,934.00, at no cost to County taxpayers.

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

RESOLUTION NO. 290-11: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH KRENZER MARINE FOR FREE BOAT SPACE RENTAL

Mr. Plant presented the following:

WHEREAS, The Wayne County Sheriff has been offered donated boat space dockage for the Sheriff's Office Marine Patrol's 27 foot Boston Whaler vessel, for the 2011 boating season, by Krenzer Marine, Sodus Point, NY; and

WHEREAS, Krenzer Marine, Sodus Point, NY, provided donated boat space dockage to the Sheriff's Office for the Marine Patrol's Boston Whaler vessel in 2010; and

WHEREAS, the Sheriff is requesting permission to enter into an agreement with Krenzer Marine, Sodus Point, NY for donated boat space dockage, for the Marine Patrol's 27 foot Boston Whaler vessel, from April 1, 2011 to October 31, 2011, at no cost to County taxpayers; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to enter into an agreement with Krenzer Marine, Sodus Point, NY, for donated boat space dockage for the Marine Patrol's 27 foot Boston Whaler vessel, from April 1, 2011 to October 31, 2011, at no cost to County taxpayers, upon review and approval of the County Attorney.

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

RESOLUTION NO. 291-11: AUTHORIZATION TO EXECUTE CONTRACTS FOR THE 2011 WAYNE COUNTY FAIR

Mr. Hammond presented the following:

WHEREAS, several Wayne County Departments have requested to rent booths for participation in presentations at the Wayne County Fair scheduled for August 8-13, 2011; and

WHEREAS, the cost for each booth space is \$165 with the additional charge of \$5 each for the necessary passes for workers; now, therefore, be it

RESOLVED, that subject to Standing Committee approval, the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute contracts on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the Union Agricultural Society at Palmyra for rental of booths for the following County Departments for the 2011 Wayne County Fair:

- | | | |
|------------------------------------|----------|----------|
| • Wayne County Stop DWI | 1 Booth | \$165.00 |
| • Wayne County Tourism | 1 Booth | \$165.00 |
| • Wayne County Public Health Dept. | 2 Booths | \$330.00 |
| • Wayne County Mental Health Dept. | 1 Booth | \$165.00 |
| • Wayne County Board of Elections | 2 Booth | \$330.00 |

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

RESOLUTION NO. 292-11: AUTHORIZATION TO PURCHASE JAIL MANAGEMENT SOFTWARE AND AMEND BUDGET

Mr. Hammond presented the following:

WHEREAS, the current Jail Management System resides on the AS400 which is coming to the end of its useful life; and

WHEREAS, the current Jail Management System is difficult to maintain and enhance since it is written in COBOL and there are only a limited number of people on the IT staff that have this skill; and

WHEREAS, it is cost effective to purchase this product rather than develop the software in-house; and

WHEREAS, IT and Sheriff personnel have evaluated various Jail Management packages from a variety of vendors and SallyPortNY from Black Creek Integrated Systems meets the current needs and specifications required by the jail; now therefore be it

RESOLVED, that the County Treasurer transfer \$110,000.00 from the General Fund unappropriated fund balance; and be it further

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

A1680-INFORMATION TECHNOLOGY

(appropriations)

\$98,140.00 to .54475 Software

\$ 7,631.25 to .54483 Training, Seminars and Schools

\$ 4,228.75 to .52000 Equipment & Other

and be it further

RESOLVED, that the Director of Information Technology is hereby authorized to purchase said Jail management Software and the required training through state bid contract #PT65193 with SHI International Corp and the equipment through state bid contract, as follows at a cost not to exceed \$110,000:

SallyPortNY software, additional licenses and interfaces	\$98,140.00
Training Session	\$ 7,631.25
Related Equipment	\$ 4,228.75

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

RESOLUTION NO. 293-11: DECLARING EQUIPMENT SURPLUS FOR THE INFORMATION TECHNOLOGY DEPARTMENT

Mr. Hammond presented the following:

WHEREAS, the Director of Information Technology has determined that the following equipment is no longer able to fulfill the requirements of day to day activities of the department; and

WHEREAS, the equipment is out of warranty and obsolete; now, therefore, be it

RESOLVED, that the following equipment, no longer of use to the Information Technology Department is hereby declared surplus and the Director of Information Technology is hereby authorized to dispose of the items in accordance with County policy:

Dell PowerEdge 2800 serial# D2VGR71

Dell PowerEdge 2800 serial# CAVGR71

Dell PowerEdge 2800 serial# 3TTZR61

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

RESOLUTION NO. 294-11: AUTHORIZATION TO ADOPT THE 2011 WAYNE COUNTY DISABILITY BUDGET MS-FUND

Mr. Hammond presented the following:

WHEREAS, the 2011 County Budget needs to be amended for the costs associated with the Disability Program; now therefore be it

RESOLVED, that the Wayne County Board of Supervisors does hereby approve the 2011 budget for the Disability Program and authorize the County Treasurer to amend the 2011 Budget as follows:

(Revenues)

MS9055.42709	Employee Contributions	\$ 23,000.00
MS9055.42801	Interfund Reimbursement of Expenses	\$ 140,000.00

(Appropriations)

MS9055.54000	Contractual Expense	\$ 17,825.00
MS9055.58600	Disability	\$ 145,175.00

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

RESOLUTION NO. 295-11: APPROVING APPLICATIONS FOR CORRECTED TAX ROLLS

Mr. Hammond presented the following:

WHEREAS, applications for correction of tax rolls in relation to parcels of property identified below have been filed with the Director of Real Property Tax Services ("Director"); and

WHEREAS, the listed correction in the Town of Sodus for Kathy McCann & Jason Bliek is generated in addition to the March 2011 Resolution #169-11; and

WHEREAS, the Director investigated the circumstances of the claimed errors on the tax rolls and recommends that the applications be approved; now, therefore, be it

RESOLVED, pursuant to Article 5, Title 3 of the Real Property Tax Law, the applications are approved and the officers having jurisdiction of the tax rolls are hereby authorized to make the following corrections:

TOWN OF ROSE

2011 Tax Roll

Account No.	71115-00-438179	
Assessed to:	Arthur & Judith Webber	
Total Tax Difference:	\$27.99	Total County Tax Difference: \$0
Corrected Total Tax:	\$1,130.85	

TOWN OF SODUS

2011 Tax Roll

Account No.	71115-00-317498	
Assessed to:	Kathy McCann & Jason Bliek	
Total Tax Difference:	\$1,071.22	Total County Tax Difference: \$0
Corrected Total Tax:	\$3,308.38	

2011 Tax Roll

Account No.	70117-15-568436	
Assessed to:	Jimenez Godofredo	
Total Tax Difference:	\$1,137.43	Total County Tax Difference: \$224.21
Corrected Total Tax:	\$568.72	

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. LeRoy. Upon roll call, adopted.

RESOLUTION NO. 296-11: TAX REFUND – ERROR ON TAX ROLL

Mr. Hammond 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 ROSE

2011 Tax Roll

Account No.	74115-00-929297	
Assessed to:	Kristopher & Jeffrey Montemorano	
Total Tax Difference:	\$1,447.83	Total County Tax Difference: \$625.95
Refund:	\$1,447.83	

And be it further

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

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

RESOLUTION NO. 297-11: AUTHORIZATION TO CONTRACT WITH AUCTIONEER SERVICES

Mr. Hammond presented the following:

WHEREAS, the Real Property Tax Department will be conducting a Tax Foreclosure Auction of 2011 delinquent properties to be held on June 22, 2011; and

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

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

David Koeberle	Reynolds Auction Co.	\$ 750.00
Russ Scherrer	Auctions International, Inc.	\$5,000.00

now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, as outlined in the RFP for Auctioneering Services to occur on the Tax Foreclosure Auction date of June 22, 2011 with David Koeberle of Reynolds Auction Company in the amount of \$750.00 (Seven Hundred Fifty Dollars).

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

RESOLUTION NO. 298-11: AUTHORIZING COUNTY TREASURER TO DISBURSE SURPLUS DOG LICENSE FEES

Mr. Hammond presented the following:

WHEREAS, Pursuant to Section III of the Agriculture and Markets Law, the County Treasurer has filed a Dog License Report covering the monies remitted and the monies expended by the Treasurer under the provision of Article 7 of the Agriculture and Markets Law for the period January 1, 2010 to December 31, 2010 and

WHEREAS, said report shows the amount of \$18,770.02 is to be apportioned to the towns ratably to the remittance made by each municipality; now, therefore, be it

RESOLVED, that the report is hereby accepted by the Board of Supervisors and the County Treasurer is hereby authorized and directed to pay the amounts apportioned to the municipalities as set forth in the following report:

STATEMENT OF AMOUNT REMITTED AND APPORTIONED

Reporting Period: January 1, 2010 to December 31, 2010

Remitting Municipality	Amount Remitted	Rate	100% of Surplus Apportioned
Arcadia	\$ 1,767.17	.87055	\$ 1,538.42
Butler	474.67	.87055	413.23
Galen	974.05	.87055	847.97
Huron	547.53	.87055	476.65
Lyons	1,290.13	.87055	1,123.13
Macedon	2,181.94	.87055	1,899.50
Marion	1,467.54	.87055	1,277.58
Ontario	2,322.95	.87055	2,022.25
Palmyra	2,069.13	.87055	1,801.29
Rose	1,026.92	.87055	893.99
Savannah	642.70	.87055	559.50
Sodus	1,291.02	.87055	1,123.90
Walworth	2,141.41	.87055	1,864.21
Williamson	1,577.90	.87055	1,373.65
Wolcott	840.10	.87055	731.35
Newark	945.83	.87055	823.40
TOTAL	\$21,560.99		\$18,770.02

Mrs. Collier moved the adoption of the resolution. Seconded by Mr. Kelsch.

Mr. Plant moved, seconded by Mr. Lauderdale to include the full report within the resolution. Upon roll call, adopted.

RESOLUTION NO. 299-11: AUTHORIZE THE COUNTY TREASURER TO CANCEL CHECKS

Mr. Hammond presented the following:

WHEREAS, numerous checks have been issued and they have not been presented for payment for the years 2009 and 2010, now therefore be it

RESOLVED, that pursuant to NYS General Municipal Law, Section 21, the County Treasurer is hereby authorized to cancel the outstanding checks.

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

RESOLUTION NO. 300-11: AMEND PUBLIC SAFETY BUILDING PROJECT (H1925) PER CHANGE ORDER NUMBERS APPROVED ON APRIL 5, 2011

Mr. Spickerman presented the following:

WHEREAS, the Building Renovation Committee (BRC) has the authority to approve change orders up to \$10,000.00 for the Public Safety Building Renovation Project; and

WHEREAS, the BRC met on April 5, 2011 to review the status of the project and reviewed and approved various change orders with in components of the project; and

WHEREAS, the following change orders were reviewed and approved for the General Contractor component: GC-103 Credit for specified power and wire management system (-\$2,000); GC-106R Removal of mail slots and turn casework over to county and repair wall (\$1,578); GC-107R Furnish and install gyp board ceiling in Elevator Machine Room (\$1,009); GC-110 Cutout fixed table tops to install boxes for audio selector switches (\$2,801); and GC-122 Asbestos abatement required in Basement B Wing corridor (\$9,517) for a net total of 12,905; and

WHEREAS, the following change order was reviewed and approved for the HVAC Contractor component: HVAC-14 Provide heat tracing, insulation, and jacketing for cold water line supplying cooling tower for a total of \$952; and

WHEREAS, the following change orders for the Plumbing Contractor were reviewed and approved: PC-18 Lower installed sprinkler head in Elevator Machine Room (\$250); and PC-20 Modify fire protection above the high density filing system (\$3,845) for a total of \$4,095; and

WHEREAS, the following change orders were reviewed and approved for the Electrical Contractor: EC-41 Electrical revisions for change in exhaust fan (\$1,164) and EC-42 Lower installed light and fire alarm devices in Elevator Machine Room (\$535) for a total of \$1,699; and

WHEREAS, the above approved change orders require amendments to the H1925 CO. BLDG. RENOVATION-ONH budget; now therefore be it

RESOLVED, that the County Treasurer is hereby directed to amend Project H1925 CO. BLDG. RENOVATION-ONH as follows:

H1925-CO. BLDG. RENOVATION-ONH:

\$12,905 to .52813 General Trades
\$ 952 to .52814 HVAC
\$ 4,095 to .52816 Plumbing & Fire Protection
\$ 1,699 to .52815 Electrical
\$19,651 from .52818 Contingency

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

RESOLUTION NO. 301-11: AUTHORIZATION TO PURCHASE CONVERSION SERVICES FOR FIXED ASSETS FROM TYLER TECHNOLOGIES

Mr. Hammond presented the following:

WHEREAS, the Fixed Assets module was purchased with the upgrade to MUNIS for Financials; and

WHEREAS, the Treasurer's office and IT now have the resources to implement the Fixed Asset module; and

WHEREAS, a physical inventory and updates have occurred, which provides us with a starting point; and

WHEREAS, the information from Industrial Appraisal Company needs to be converted over to MUNIS; and

WHEREAS, the is money still allocated to the FMS project in H19082-52000 that can be utilized; now, therefore, be it

RESOLVED, that the Director of Information Technology is hereby authorized to purchase conversion services from Tyler Technologies, at a cost not to exceed \$3,500 from Account No. H19082-52000.

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

RESOLUTION NO. 302-11: AUDIT OF CLAIMS – April 19, 2011

Mr. Hammond 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 **\$5,048,517.99** are hereby approved for payment and the Treasurer is hereby authorized and directed to make payment of the same:

1. A Fund	\$ 3,673,702.34
2. D Fund	\$ 699,220.74
3. DM Fund	\$ 93,279.48
4. E Fund	\$ 294,308.98
5. H Fund	\$ 257,541.58
6. MS Fund	<u>\$ 30,464.87</u>

RESOLUTION NO. 304-11: AUTHORIZATION TO REVISE AGREEMENT WITH VARGAS ASSOCIATES – Change Order No. 1

Mr. Spickerman presented the following:

WHEREAS, pursuant to Resolution No. 642-10 enacted September 28, 2010, the County authorized an agreement with Vargas Associates to providing planning and management services to move furniture and equipment from various buildings to the Wayne County Safety Building; and

WHEREAS, at the time Vargas Associates was selected to provide relocation services to the County, it was anticipated that new furniture purchases for the various departments would be limited in scope; and

WHEREAS, as the project progressed it was determined that substantially all furniture with the exception of filing cabinets would be purchased new; and

WHEREAS, Vargas Associates was directed to work with various departments regarding their furniture needs, to research furniture options, to develop new furniture bid specifications and to assist with the public bid process; and

WHEREAS, Vargas Associates has submitted a proposed change order #1 regarding these aforementioned out of scope additional services; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to sign a change order, subject to the County Attorney's approval regarding the above mentioned change order #1 in the amount of \$18,000.00 submitted by Vargas Associates for out of scope services rendered for new furniture purchases.

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

Mr. Spickerman moved, seconded by Mr. Lauderdale, to amend Change Order No. 1 to reduce the amount to \$13,900.00. Motion carried.

Prior to voting, there were several discussions that took place regarding the progress made with the project and the efforts in getting this completed without further delay.

Comments of the additional charges and payments that are being requested were made, and the fact that this is 'tax payer's money' and not simply county funds be expended.

Mrs. Collier added that although the Committee has struggled over many things, we must keep the completion of this project in site. We need to focus on the outstanding job that everyone has done and be assured that these efforts will pay off for a project that the County and its Departments can all be proud of.

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

RESOLUTION NO. 305-11: AUTHORIZATION TO REVISE AGREEMENT WITH VARGAS ASSOCIATES – Change Order No. 2

Mr. Spickerman presented the following:

WHEREAS, Pursuant to Resolution 642-10 enacted September 28, 2010, the County authorized an agreement with Vargas Associates to providing planning and management services to move furniture and equipment from various buildings to the Wayne County Public Safety Building; and

WHEREAS, at the time Vargas Associates was selected to provide relocation services to the County, it was anticipated that new furniture purchases for the various departments would be limited in scope; and

WHEREAS, as the project progressed it was determined that substantially all furniture would be purchased new; and

WHEREAS, Vargas Associates was directed to provide additional services consisting of finishing the collection of requirements around the historical records relocation, continuation of

furniture coordination including bid coordination, continuation of furniture coordination including order placement, coordination of efforts for the selection and ordering of specialized seating, work with emergency management department regarding special departmental needs, attending additional meetings necessitated by the increased scope of furniture purchases and creating a finish board for a review for move team members; and

WHEREAS, Vargas Associates has submitted a change order #2 for the above mentioned additional services in the amount of \$18,800.00; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to sign a change order, subject to the County Attorney's approval said above mentioned change order #2 in the amount of \$18,800.00 submitted by Vargas Associates for services rendered for new furniture purchases.

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

RESOLUTION NO. 306-11: AUTHORIZATION TO REVISE AGREEMENT WITH VARGAS ASSOCIATES – Change Order No. 3

Mr. Spickerman presented the following:

WHEREAS, pursuant to Resolution No. 642-10 enacted September 28, 2010, the County authorized an agreement with Vargas Associates to providing planning and management services to move furniture and equipment from various buildings to the Wayne County Public Safety Building; and

WHEREAS, at the time Vargas Associates was selected to provide relocation services to the County, it was anticipated that new furniture purchases for the various departments would be limited in scope; and

WHEREAS, as the project progressed it was determined that substantially all furniture would be purchased new; and

WHEREAS, Vargas Associates has submitted change order #3 regarding items of additional work anticipated by not yet performed consisting of additional coordination associated with the delivery and installation of furniture and accessories that are out of scope and projected additional time required for additional coordination meetings with the move team; and

WHEREAS, Vargas Associates has submitted a change order #3 for the above mentioned additional services in the amount of \$8,100.00; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to sign a change order, subject to the County Attorney's approval said above mentioned change order #3 in the amount of \$8,100.00 submitted by Vargas Associates for services rendered for new furniture purchases.

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

Mr. Spickerman moved, seconded by Mr. Colacino, that the "RESOLVED" clause be amended as follows:

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to sign a change order, subject to the County Attorney's approval said above mentioned change order #3 in the amount up to \$8,100.00 submitted by Vargas Associates.

Motion to amend, carried.

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

Mr. Kelsch moved, seconded by Mr. Plant that four (4) resolutions be allowed on the floor under other business. Motion carried.

RESOLUTION NO. 307-11: AUTHORIZATION TO AWARD RFP FOR ASBESTOS

ABATEMENT FOR VARIOUS COUNTY PARK PAVILIONS LOCATED IN WAYNE COUNTY

Mr. LeRoy presented the following:

WHEREAS, pursuant to Resolution No. 120-11, Superintendent of Buildings and Grounds was authorized to advertise for request for proposals for asbestos abatement for up to eight (8) county park pavilions located in Wayne County; and

WHEREAS, the following Request for Proposals were received:

Elmer Davis Roofing, Inc. Total Cost: \$ 56,150.00

Baar Environmental, Inc. Total cost: \$ 10,550.00

now, therefore, be it

RESOLVED, that the Request for Proposal for this project is hereby accepted from Baar Environmental, Inc. at a cost of \$ 10,550.00; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Baar Environmental, Inc. in the amount of \$ 10,550.00.

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

RESOLUTION NO. 308-11: AUTHORIZATION TO SETTLE LAWSUIT REGARDING ORCHARD GROVE PARK

Mr. Hammond presented the following:

WHEREAS, tax *certiorari* proceedings were commenced pursuant to Real Property Tax Law Article 7 by Dante and Ralph Gullace and Orchard Grove Park, LLC ("petitioners") against the Town of Ontario Assessor and Board of Assessment Review challenging the assessment (the "Assessment") for the property (the "Property") at 2340 Route 104 in the Town of Ontario, and the individual mobile home units on that Property (the "Units"), for the 2003/2004, 2004/2005, 2005/2006, 2006/2007, 2007/2008, 2008/2009, 2009/2010 and 2010/2011 tax years; and

WHEREAS, after trial in Supreme Court, Wayne County, the Court rendered a Decision and Order (the "Decision") dated January 22, 2010 finding that the Property had been overvalued for the 2003/2004, 2004/2005, 2005/2006, 2006/2007, 2007/2008 and 2008/2009 tax years, and a Judgment (the "Judgment") was entered dated March 10, 2010, which, in accordance with the Decision, directed reduction of the Assessment (the "Revised Assessments") on the assessment rolls for the tax years 2003/2004, 2004/2005, 2005/2006, 2006/2007, 2007/2008 and 2008/2009, and payment of refunds by Wayne County, the Town and the Wayne Central School District to petitioners based on the Revised Assessments, as well as payment of costs; and

WHEREAS, Respondents have appealed the Judgment, including the underlying Decision, to the Appellate Division, Fourth Department; and

WHEREAS, the proceedings for tax years 2009/2010 and 2010/2011 have not gone to trial, but petitioners have argued that the Assessments for those years, and for tax year 2011/2012, must be fixed at the 2008/2009 Revised Assessment, pursuant to Real Property Tax Law §727; and

WHEREAS, continuing with the appeal and defending the pending proceedings and any proceeding that would be filed for tax year 2011/2012 would result in substantial legal expenses with an uncertain outcome; and

WHEREAS, the parties have negotiated a settlement (the "Settlement") that would settle all pending litigation as well as any claim for tax year 2011/2012, subject to approval of the Court, by which the Assessments would be set at the Revised Assessments for tax years 2003/2004, 2004/2005, 2005/2006, 2006/2007, 2007/2008 and 2008/2009, with the 2008/2009 Revised Assessment continued for tax years 2009/2010, 2010/2011 and 2011/2012 subject to adjustment for individual Units that have been added or removed from the Property since 2008, refunds would be paid based on those reduced Assessments, as adjusted, but interest and costs would be waived by petitioners; and

WHEREAS, the Settlement is in the best interest of the County because it would avoid future expenses for legal fees, expert appraisers and other legal disbursements, result in the waiver of interest on any refunds, and avoid the risk of further litigation; and

WHEREAS, the County's share of the settlement is in the amount of \$158,428.03; charged to account 1342. The Town and Special District's share of the settlement is in the amount of \$66,249.61; charged to the town on account 143034; now, therefore, be it

RESOLVED, that the Settlement is approved, and the attorney for the County is authorized to enter into a Stipulation to accomplish the Settlement in a form acceptable to such attorney, be it further

RESOLVED, that the Treasurer is hereby authorized to issue a check in the amount of \$224,677.64 at the direction of the County Attorney from Account 10015436.

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

RESOLUTION NO. 309-11: AUTHORIZATION TO ACCEPT BID FOR OPERATION OF A FOOD CONCESSION STAND AT THE SODUS POINT BATHHOUSE, SODUS POINT PARK

Mr. LeRoy presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for the operation of a food concession stand at the Sodus Point Bathhouse, Sodus Point Park, and the bids were publicly opened on Tuesday, March 29, 2011 at 1:30 p.m. and the following bids were received:

Bidder	Bid Amount	Bid Security
Kelly Blauvelt 9992 Gobblersknob Road Clyde, NY 14433	2011 - \$1,200 2012 - \$1,250 2013 - \$1,300	\$60.00
Deannie and Jerry Newby 7356 Lake Road Sodus, NY 14551	2011 - \$1,200 2012 - \$1,300 2013 - \$1,400	\$60.00
Katherine A. Sherwood Smitty's Hots 18 Forgham Street Lyons, NY 14489	2011 - \$1,500 2012 - \$1,600 2013 - \$1,600	\$76.40

WHEREAS, the Superintendent of Buildings and Grounds, the Buildings and Grounds Committee and the County Attorney have reviewed the proposed bids received; now, therefore, be it

RESOLVED, that Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with Katherine A. Sherwood of Smitty's Hots to operate the concession stand at the Sodus Point Park Bathhouse for the 2011 bathing season, for a fee of \$1,500 for the 1st season; and be it further

RESOLVED, that the contract may be extended for an additional two years as per terms and conditions of the contract.

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

RESOLUTION NO. 310-11: AUTHORIZATION TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH THE NYSDOT FOR CONSTRUCTION COSTS ASSOCIATED WITH THE ALDERMAN ROAD BRIDGE PROJECT

Mr. LeRoy presented the following:

WHEREAS, the original agreement between Wayne County and the NYSDOT only included funds for the design phases of the project in the amount of \$342,000, and

WHEREAS, the project design has been completed and the project is ready for bid; and

WHEREAS, the Federal Highway Administration is funding 80% of the project costs and requires a commitment from the project sponsor stating that the sponsor has funds available to advance the project prior to being reimbursed; and

WHEREAS, it is estimated that the construction phase will cost will be approximately \$1,848,000 to pay for construction and construction administration costs, and a supplemental agreement will be processed between the County and the New York State Department of Transportation for these additional project costs; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the NYSDOT for an additional \$1,848,000; and be it further

RESOLVED, that the County Treasurer is hereby authorized to transfer \$92,400 from the unappropriated General Fund Balance; and be it further

RESOLVED that the County Treasurer is hereby authorized to amend the 2011 County Budget as follows:

A9901-INTERFUND TRANSFER:

(appropriations)

\$92,400 to .59300 Transfer-County Road

D9999 – OTHER:

(revenue)

\$1,478,400 to .44511 Federal Aid-Marchiselli

\$277,200 to .43511 State Aid Marchiselli

\$92,400 to .45031 Interfund Transfers

D5112 – ROAD CONSTRUCTION:

(appropriations)

\$1,848,000 to .52905 Alderman Road Bridge Project

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

EXECUTIVE SESSION: Mrs. Collier moved, seconded by Mr. Hammond that the Board go into Executive Session at 11:01 a.m. to discuss a personnel matter and proposed litigation. Upon roll call, carried.

REGULAR SESSION: Mr. Kelsch moved, seconded by Mr. Colacino that the Board resume regular session at 11:43 a.m. Carried.

Mr. Plant moved, seconded by Mr. Kelsch that two (2) resolutions be allowed on the floor under other business. Motion carried.

RESOLUTION NO. 311-11: SETTING SALARY FOR AND APPOINTMENT OF COUNTY ATTORNEY

Mr. Hammond presented the following:

WHEREAS, County Attorney Daniel Wyner has notified the county of his intent to retire effective June 29, 2011; and

WHEREAS, it is the desire of the Board of Supervisors to have an orderly transition of duties within the County Attorney's Office; and

WHEREAS, Daniel Connors has been serving as Assistant County Attorney since February 1, 2007; now, therefore, be it

RESOLVED that the Wayne County Board of Supervisors hereby appoints Daniel Connors to the position of County Attorney to fulfill the unexpired portion of the 2010-2011 term of County Attorney effective June 30, 2011 through December 31, 2011; and be it further

RESOLVED, that the salary for the County Attorney is hereby set at \$92,400 per year.

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

RESOLUTION NO. 312-11: AUTHORIZATION TO CREATE ASSISTANT COUNTY ATTORNEY POSITION DURING TRANSITION OF CURRENT ASSISTANT COUNTY ATTORNEY TO COUNTY ATTORNEY

Mr. Hammond presented the following:

WHEREAS the Board of Supervisors has appointed Daniel Connors to the position of County Attorney effective June 30, 2011; and

WHEREAS, Mr. Connors is currently the Assistant County Attorney; and

WHEREAS, in order to effect a smooth transition and to ensure that there are minimal disruptions to the services that the County Attorney's Office provides it is desirable to have an Assistant County Attorney for an overlapping period; and

WHEREAS, upon Mr. Connors vacating the current Assistant County Attorney position on June 29, 2011 it will be abolished; now, therefore, be it

RESOLVED, that a position of Assistant County Attorney at an annual salary of \$60,500 is hereby created effective June 3, 2011; and be it further

RESOLVED, that a position of Assistant County Attorney currently held by Mr. Connors will be abolished effective June 30, 2011; and be it further

RESOLVED, that the County Treasurer is hereby authorized to make the following adjustments to the 2011 budget:

A1990 Contingent Fund Gen

(appropriations)

\$7,376 from .54000 Contractual Expenses

A1420 County Attorney

(appropriations)

\$5,041 to .51083 Assistant County Attorney

\$ 801 to .58100 Payments to NYS Retirement System

\$ 385 to .58200 Payments to Social Security

\$1,149 to .58400 Hospitalization

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

ADJOURNMENT:

The next meeting of the Board is Monday, April 25, 2011 at 10:00 a.m.

Mr. Lauderdale moved, seconded by Ms. Park that the board adjourn at 11:48 a.m. Carried.

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