

13th Day
Tuesday, July 20, 2010
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 Assistant County Attorney Daniel C. Connors were also present.

APPROVAL OF MINUTES:

Mr. Kelsch moved, seconded by Mr. LeRoy, 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 Sheriff's Cash Receipts Reports for the month of June 2010 for \$14,634.14 and the first half of July 2010 for \$4,006.75 were received and filed.

A letter was received from US Customs and Border Protection of a Notice of Intent issued to prepare four programmatic Environmental Impact Statements (PEISs) for the Northern Border between the U.S. and Canada on July 6, 2010 in the Federal Register.

A copy of a certified Resolution No. 141-10 was received for the Seneca County Board of Supervisors opposing the delay in collection of tax on sales of Cigarettes by Indian Tribes.

Copies of certified resolutions were received from both the Tioga County Legislature and the Allegany County Board of Supervisors commenting on the new proposed regulations on Outdoor Wood Boilers.

A thank you note was received from retired Wayne County Sheriff's Deputy Bill Carr for the proclamation and good wishes he received from the Board at the June 15, 2010 Wayne County Board Meeting.

A Letter was received from the New York State Office of Parks, Recreation and Historic Preservation, regarding the Henry Towar House located at 265 State Route 14 in Lyons. They are pleased to notify the Board that this historic property has been listed on the State and National Registers of Historic Places on October 16, 2009.

A thank you note was received from Commander of the James R. Hickey Post in Palmyra for attending the Flagpole Dedication ceremony at the Wayne County Fairgrounds on June 14, 2010.

A letter from Senator Michael Nozzolio, sharing the Boards formal opposition to the proposed elimination of the Empire Zone Program being negotiated by Governor Paterson and the New York City Senators and Assembly Members.

A letter was received from F. David Sheppard, Acting Assistant Director of the Federal Grant Program Administration regarding his regret in informing the Board that our application for funding was not considered for the Emergency Operation Center Grant Program that was made available by the US Department of Homeland Security.

A copy of the County Auditor's accounts payable report for July 2010 totaling \$6,255,580.38 was received and filed.

A thank you note was received from Jody Bender thanking the Board and staff for the birthday acknowledgement at the June Board Meeting.

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

BIDS:

WC Real Property Tax Office

- Parcels sold at public auction sale held on June 16, 2010

WC Sheriff's Department

- Underwater Search and Rescue Support Vehicle for the Wayne County Sheriff's Office

WC Buildings and Grounds

- Roof Replacement for County Clerk/DMV Building

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

ANNUAL REPORTS:

Comprehensive Annual Financial Report and Internal Control Report for Wayne County – for Year ended Dec. 31, 2009.

Mrs. Bender moved, seconded by Mrs. Collier, that all reports be received and filed. Upon roll call, carried.

PRIVILEGE OF THE FLOOR:

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

RESOLUTION NO. 475-10: AUTHORIZATION TO EXECUTE CONTRACT WITH TOSHIBA BUSINESS SOLUTIONS FOR PROVISION OF PURCHASE OF LASER PRINTER & FAX TONER CARTRIDGES FOR WAYNE COUNTY DEPARTMENTS

Mr. Hammond presented the following:

WHEREAS, there is a cost savings in centralizing the purchase of Laser Printer & Fax Toner Cartridges for copiers and fax machines that are used in all County Departments; and

WHEREAS, currently the Department of Information Technology purchases said supplies from PCI, Inc. with no set term of contract in place; and

WHEREAS, TOSHIBA Business Solutions has an overall reduced cost per item that will save the county significant savings; and

WHEREAS, the County is currently contracting with TOSHIBA Business Solutions for the lease and maintenance of all copiers utilized by County Departments; and

WHEREAS, the County is going to exercise the option to participate in the Broome County bid (which has three (3) one year renewal options subject to expire 8/31/2013) with Toshiba for the purchase of Laser Printer & Fax Toner Cartridges; and

WHEREAS, in the event that Broome County does not renew the current contract, Wayne County has the option to terminate said contract with TOSHIBA Business Solutions; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a contract on behalf of the County of Wayne, subject to the County Attorney's review as to form and content, with the TOSHIBA BUSINESS SOLUTIONS.

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

RESOLUTION NO. 476-10: AUTHORIZATION TO INCREASE LICENSE COUNT OF POSS SCHEDULING SOFTWARE

Mr. Hammond presented the following:

WHEREAS, the Shift Scheduling software has been successfully implemented in the Sheriff and E911 departments; and

WHEREAS, the Nursing Home is the next area that would like to utilize the software; and

WHEREAS, the license count needs to be increased by 250; now, therefore, be it

RESOLVED, that the Director of Information Technology is hereby authorized to purchase said at a cost not to exceed \$22,000 using A16804.54475 (Software).

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

RESOLUTION NO. 477-10: 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 ARCADIA

2010 Tax Roll

Account No. 68110-05-065822

Assessed to: Erma Mancuso

Total Tax Difference: \$125.55 Total County Tax Difference: \$84.83

Refund: \$125.55

TOWN OF WOLCOTT

2009 Tax Roll

Account No. 75119-11-669630

Assessed to: Bruce & Alice Biller

Total Tax Difference: \$521.97 Total County Tax Difference: \$353.83

Refund: \$521.97

TOWN OF WOLCOTT

2010 Tax Roll

Account No. 75119-11-669630

Assessed to: Bruce & Alice Biller

Total Tax Difference: \$531.96 Total County Tax Difference: \$363.14

Refund: \$531.96

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

RESOLUTION NO. 478-10: ACCEPTING BIDS FOR REAL PROPERTY AUCTION SALE

Mr. Hammond presented the following:

WHEREAS, pursuant to Resolution No. 321-10 certain properties acquired by the County by tax deed were sold at public auction sale held June 16, 2010; and

WHEREAS, such properties were auctioned subject to approval and acceptance of the bids by the Board of Supervisors; and

WHEREAS, the Finance Committee of the Board of Supervisors have reviewed and recommends the bids set forth below be accepted; and

WHEREAS, regarding a Village of Wolcott property Tax Map # 75117-11-682573 which included a single family structure, subsequent to the auction, arsonist activity destroyed said structure beyond repair; and

WHEREAS, the Village of Wolcott has pursued the fire damage clean-up of property Tax

Map #75117-11-682573; and

WHEREAS, the bidder of Tax Map # 75117-11-682573, Donald Woodard, does not wish to purchase the property as it is, and therefore, requests the Board to withdraw his bid of \$3,000 and return his deposit of \$2,100, now therefore, be it,

RESOLVED, that the Board of Supervisors have determined that it is in the best interest of the County to accept the bids listed below and such bids are hereby approved and accepted; the Chairman of the Board of Supervisors is hereby authorized and directed to execute a quit-claim deed for each parcel, subject to approval of the form of the deed by the County Attorney, and to affix the seal of the Board of Supervisors to such deeds; and the County Treasurer is hereby authorized and directed to record and deliver the respective deed upon receipt of the payments required by the terms and conditions of sale; and be it further

RESOLVED, that the Board of Supervisors have determined that it is in the best interest of the County to allow Donald Woodard to withdraw his bid on Tax Map # 75117-11-682573 and return the \$2,100 deposit that he'd submitted.

TOWN	PROPERTY TAX#	BIDDER NAME & ADDRESS	BIDDER PRICE
ARCADIA	68110-06-350848	Robert Nolan 332 Vienna Street Palmyra, NY14522	\$46,000
ARCADIA	68111-14-392415	Sean Lincoln 119 McDermott Street Palmyra, NY14522	\$600
ARCADIA	68113-00-526479	Glenn Martin 2042 Daboll Road Clyde, NY 14433	\$1,000
ARCADIA	69110-00-494152	James L. Simpson P.O. Box 44 Savannah, NY13146	\$21,000
ARCADIA	69113-00-130211	Michael Beard 307 Campbell Street Rochester, NY 14611	\$1,000
BUTLER	77114-17-186069	Gary White P.O. Box 302 North Rose, NY 14516	\$500
GALEN	72112-00-297150	Leonard Disanto 11098 Clyde-Savannah Road Clyde, NY 14433	\$175
GALEN	74112-13-183281	Jason Hoover. 248 Lasher Road Clyde, NY14433	\$2,250
GALEN	74112-14-356361	Glenn Martin 2042 Daboll Road Clyde, NY 14433	\$3,000

GALEN	74112-14-359366	Craig Perkins 11321 Lyman Road N Rose, NY 14516	\$6,500
GALEN	74112-14-370351	Glenn Martin 2042 Daboll Road Clyde, NY 14433	\$4,000
GALEN	74112-14-413452	Glenn Martin 2042 Daboll Road Clyde, NY 14433	\$5,600
GALEN	74112-17-161090	Francis Steen 11127 Turnpike Road Clyde, NY14433	\$27,000
GALEN	74112-18-355190	Brian Lonneville 137 Marble Road Clyde, NY 14433	\$3,250
GALEN	74112-19-670057	Leonard Disanto 11098 Clyde-Savannah Road Clyde, NY14433	\$10,250
HURON	74117-00-854459	Milton Irizarry 6700 Briscoe Cove Road North Rose, NY 14516	\$40,000
LYONS	71111-09-006653	Smith Family Acres LLC P. Stephen Smith 533 Dublin Road Clyde, NY14433	\$25
LYONS	70111-12-998641	Jason Hoover 248 Lasher Road Clyde, NY14433	\$9,000
LYONS	71110-00-391229	Smith Family Acres LLC P. Stephen Smith 533 Dublin Road Clyde, NY14433	\$11,000
LYONS	71111-09-130680	Sean Dobbins 104 William Street Lyons, NY14489	\$4,000
MACEDON	62112-00-086345	Michael Beard 307 Campbell Street Rochester, NY14611	\$7,000
MACEDON	64112-00-029668	Mike Kruzinskiy 1012 Plank Road Webster, NY14580	\$700

PALMYRA	64111-00-595880	Louise Siberry Siberry Enterprise 2, LLC 375 N. Stephanie Street, Suite 1411 Henderson, NV89014-8909	\$4,000
PALMYRA	64112-00-450598	Michael Beard 307 Campbell Street Rochester, NY14611	\$4,750
PALMYRA	66112-00-061192	Chris Bjonling 474 East Street Canandaigua, NY 14424	\$6,250
PALMYRA	66112-12-762516 & 66112-12-763513	Donald Woodard 6737 Lakeview Road Sodus, NY14551	\$25
PALMYRA	67112-00-108713	Shirley M. Garner 211 Prospect Street Newark, NY14513	\$60,000
ROSE	72115-00-433894	Larry Clingerman 5003 Brick Schoolhouse Road North Rose, NY14516	\$5,000
SAVANNAH	78113-00-658952	Terry Snow 10700 Curran Road Red Creek, NY 13143	\$6,000
SODUS	67116-00-521014	Katie Ann Alexander 6128 Eddy Ridge Williamson, NY 14589	\$14,500
SODUS	69117-00-434456	Brian Johnson 415 Dunkleberger Road Mechanicsburg, PA17055	\$4,750
SODUS	69118-00-610029	Carroll Fulton 3449 Lake Breese Drive Williamson, NY 14589	\$12,000
WALWORTH	61116-00-728074	Brian Lonneville 137 Marble Road Clyde, NY14433	\$500
WALWORTH	63115-00-636078	Robert Nolan 332 Vienna Street Palmyra, NY14522	\$52,500
WILLIAMSON	67117-06-288959	Anne Sabocheak 5938 E. Townline Road Williamson, NY14589	\$4,500
WOLCOTT	75117-12-957692	Louise Siberry	\$1,000

Siberry Enterprise 2, LLC
 375 N. Stephanie Street, Suite 1411
 Henderson, NV89014-8909

WOLCOTT	75117-15-628450	Gene & Claudette Sova \$11,250 6580 Briscoe Cove Road North Rose, NY 14516	
WOLCOTT	77119-00-466395	Brian Lonneville 137 Marble Road Clyde, NY 14433	\$3,250
WOLCOTT	78121-13-195412	Vincent Reynolds 6895 Kinne Street E. Syracuse, NY 13057	\$59,000

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

RESOLUTION NO. 479-10: AUTHORIZATION TO SIGN A PAYMENT IN LIEU OF TAX AGREEMENT (PILOT) BETWEEN THE TOWN OF LYONS AND CANAL VIEW HOUSING DEVELOPMENT FUND CORPORATION

Mr. Hammond presented the following:

WHEREAS, it is recognized that there was a need for low-income housing to be available in Lyons; and

WHEREAS, the Town of Lyons became involved as the Lead Agency for a viable project offered to Lyons; and

WHEREAS, a Payment in Lieu of Taxes Agreement (PILOT) has been drafted for execution by the affected taxing jurisdictions; and

WHEREAS, it is agreed that the \$12,000 payment will be apportioned to the affected taxing jurisdictions proportionate to the latest final tax rates applicable at the time of the required payment; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to sign the PILOT agreement as presented.

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

RESOLUTION NO. 480-10: ACCEPTING BIDS FOR CERTAIN REAL PROPERTY PARCELS

Mr. Hammond presented the following:

WHEREAS, pursuant to direction from the Finance Committee, the Real Property Tax Director offered to adjoining landowners certain remaining real property parcels that were not bid upon at the 2010 Tax Foreclosure Auction held on June 16, 2010; and

WHEREAS, the bids have been opened and reviewed by the Finance Committee with each recommending that the bids set forth below be accepted; now, therefore, be it

RESOLVED, the Board of Supervisors has determined that it is in the best interest of the County to accept bids set forth below and such bids are hereby approved; the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract of sale and a quit-claim deed for each parcel, subject to the approval of the form by the County Attorney, and to affix the seal of the Board of Supervisors to such deeds; the County Treasurer is hereby authorized and directed to record and deliver the respective deed upon receipt of the payments required by the terms and conditions of sale:

TOWN	PROPERTY ID	BIDDER	BID PRICE
Butler/Village of Wolcott	75116-07-617976	No Bids	

Lyons/Village of Lyons	71111-05-097862	No Bids	
Town of Sodus	69118-00-895084	No Bids	
Town/Wolcott/Village/Red Creek	78118-14-303371	Chris & Kristine Akins	\$50.00
Town/Wolcott/Village/Red Creek	78118-14-328474	Randy Nodine	\$1,329.95

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to return all funds deposited by those individuals who's bids were rejected.

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

RESOLUTION NO. 481-10: 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; 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 SODUS

2009 Tax Roll

Account No.	70116-00-097486
Assessed to:	M.L. Odell
Total Tax Difference:	\$769.00 Total County Tax Difference: \$0.00
Corrected Total Tax:	\$1,011.98

and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to charge back the pertinent taxing authorities in the manner prescribed by Section 554 of the Real Property Tax Law.

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

RESOLUTION NO. 482-10: CONCUR WITH COUNTY TREASURERS RECOMMENDATION

Mr. Hammond presented the following:

WHEREAS, the County Treasurer has identified certain real property, a copy of which is on file with the Clerk of the Board, that have a barrier to tax enforcement; now, therefore, be it

RESOLVED, that the Board of Supervisors concur with the County Treasurer's recommendation that this real property be withdrawn from the foreclosure process and that the Town Assessors be directed to place this real property in the exempt portion of the tax roll.

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

Mrs. Crane called for a long roll call and questioned the County's procedure on why this is done.

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

RESOLUTION NO. 483-10: RESOLUTION AMENDING RESOLUTION 351-10 AUTHORIZING JOINT MUNICIPAL IMPROVEMENT PROJECT FOR THE TOWN OF ARCADIA, IN PARTNERSHIP WITH THE TOWN OF LYONS AND THE VILLAGE OF NEWARK

Mr. Hammond presented the following:

WHEREAS, Resolution No. 351-10 authorized funding for the extension of the Erie Canal

Trail from Route 88 in the Village of Newark to the western boundary of the Village of Lyons from the Joint Municipal Improvement Project for the Town of Arcadia, in partnership with the Town of Lyons and the Village of Newark, in the amount of one-third the total project cost or \$60,000, whichever is less; and

WHEREAS, upon further review and discussion of Resolution No. 351-10; the Finance Committee has recommended that the resolution include language defining that the payment from the Joint Municipal Improvement Fund will be made on a reimbursement basis and that in the event the project is not completed as defined that any amount that has been paid for the project to the Town of Arcadia will be repaid by the Town to the County; now, therefore, be it RESOLVED, that Resolution No. 351-10 is hereby amended as follows:

“RESOLVED that the Wayne County Board of Supervisors hereby authorizes funding from the Joint Municipal Improvement Project for the Town of Arcadia, in partnership with the Town of Lyons and the Village of Newark, in the amount of one-third the total project cost or \$60,000, whichever is less; and be it further

RESOLVED that the Wayne County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to execute an agreement with the Town of Arcadia which will provide the aforementioned \$60,000 to the Town of Arcadia on a reimbursement basis as partial payments or in full after it is demonstrated that the costs were incurred by the Town and with the condition that in the event the entire project is not completed that the Town of Arcadia will repay the County of Wayne the portion of the funds that have been paid by the County to the Town.”

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

RESOLUTION NO. 484-10: AMEND PUBLIC SAFETY BUILDING PROJECT (H1925) PER CHANGE ORDER NUMBERS APPROVED ON JULY 6, 2010

Mr. Hammond presented the following:

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

WHEREAS, the BRC met on July 6, 2010 to review the status of the project and reviewed and approved various change orders within the components of the project; and

WHEREAS, the following change orders were reviewed and approved for the General Contractor component: GC-50 increase \$3,945.00 to lower installed windows in Operations Room 2011; GC-56 increase \$821.00 for Area “B” between column line 12A and 14A, adjacent column line W, to remove floor tile and mudset down to structural slab and provide infill with design mix; GC-60 increase \$1,403.00 for providing fire rated (60 min.) wood doors with a 4 x 25 narrow light for doors S-1003A and S-1004A; GC-61 increase \$1,287.00 for removal and replacement door frame for door S-1004B with a 60 minute rated hollow metal frame; GC-64 increase \$3,783.00 for field glaze in lieu of factory glaze all toilet room windows and install plywood temporarily in windows to secure the building until glass is received; for a net increase to the General Contractor component of \$11,239.00; and

WHEREAS, the following change orders were reviewed and approved for the Plumbing and Fire Protection component: PC-06 increase \$836.00 for re-routing the fire protection line to the penthouse, as a result of unforeseen steel in adjacent wall; PC-07 increase \$4,965.00 for additional manpower to maintain schedule and avoid delays with other contractors for a net increase to the Plumbing and Fire Protection component of \$5,801.00; 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:

\$11,239.00 to .52813 General Trades
\$ 5,801.00 to .52816 Plumbing & Fire Protection

\$17,040.00 from .52818 Contingency

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

RESOLUTION NO. 485-10: RESOLUTION AUTHORIZING COUNTY PURCHASING AGENT TO OBTAIN CREDIT CARDS FROM A BANK OR FINANCIAL INSTITUTION AND ESTABLISHING A CREDIT CARD POLICY

Mr. Hammond presented the following:

WHEREAS, the Wayne County Board of Supervisors recognizes that there are instances where it is often difficult, impractical, time consuming and more costly to process small dollar purchases through conventional procurement means of preparing purchase orders and processing invoices; and

WHEREAS, credit cards are often required when making travel arrangements and reserving hotel rooms and in securing cheaper rates for hotels and air fares via telephone or the internet; and

WHEREAS, credit cards can yield cost avoidance and streamline the purchases as, often the expense of processing small dollar purchases can run as high as the purchase itself; and

WHEREAS, the Wayne County Board of Supervisors recognizes that any authorization for the use of credit cards must be accompanied by a comprehensive use policy to provide adequate controls and to prevent misuse of credit cards and hereby determines that it is in the best interest of Wayne County to authorize the limited use of credit cards from banks or credit card issuers and establish this Credit Card Policy; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby establishes the Wayne County Credit Card Policy under the following terms and conditions:

1. The Wayne County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to enter into contracts with banking institutions or credit card companies for the issuance of no fee credit cards to be held in the name of County of Wayne for use by designated persons as herein set forth for the purchase of lower cost purchase items, making previously authorized travel/training arrangements and for small maintenance, repair and operating expenses.
2. The County Purchasing Agent shall have control of any and all credit cards; cards shall not be issued to individual employees.
3. The Purchasing Agent shall personally authorize the use of the credit cards and shall keep a detailed log of any use of the credit cards which is to be reconciled with the corresponding credit card statement upon its receipt by the county.
4. The following authorized credit card purchases may be made when it is in the county's best interests to do so and after being pre-audited by the County Auditor:
 - Office supplies and forms
 - Books and subscriptions
 - Computer supplies
 - Hardware and tools
 - Replacement parts
 - Maintenance, repair and operating expenses
 - Material expenses
 - Travel, training and conference registrations, and lodging reservation expenses that have been authorized by the County Administrator, or in the case of out-of-state travel by the County Administrator, Standing Committee, and Chairman of the Board of Supervisors. Subject to provisions of the Wayne County's travel policy.
 - Registration for on-line Training Sessions and Webinars
 - Any other expenses less than \$1,500 authorized in writing by the County Administrator and Purchasing Agent of the County of Wayne.
5. The following are unauthorized credit card purchases:
 - Any single transaction exceeding \$1,500.00 in value not specifically authorized in

- Purchase of items for personal use or, in the case of approved lodging, costs incurred for incidental expenses that would not otherwise be eligible for reimbursement to an employee.
 - Credit cards are not to be used for any product, service or with any merchant considered to be inappropriate for County funds
6. All credit cards will be kept under the direct supervision of the Purchasing Agent of Wayne County.
 7. In using a credit card, the Purchasing Agent shall retain all receipts for the items purchased and immediately upon purchase, provide the same to County Auditor. The Purchasing Agent shall ensure that all transactions are legitimate purchases made on behalf of the County of Wayne.
 8. Departments incurring expenses through use of a credit card shall be responsible for submitting to the County Auditor claims and adequate supporting documentation for which the expenses were incurred in accordance with County Policy. The Purchasing Agent shall be the control point and facilitator for charges; however, departments requesting the use of a card are responsible for demonstrating that adequate funds are available in their respective budget, adequately documenting the requested purchases/charges in advance and following all county procurement policies and procedures as if the purchase were to be made by requisition.
 9. Any illegal or unauthorized expense or improper use of a credit card shall subject the employee to disciplinary action.
 10. Except as herein provided, purchases, payments, travel and other actual and necessary expenses for which a credit card is used shall be incurred in accordance with, and shall be subject to, all laws, rules, policies, and regulations applicable to charges incurred by the County of Wayne, its officers and employees.
 11. Employees using County credit cards shall sufficiently document the purchases with supporting receipts and a detailed composition of all charges, noting the official or employee who has initiated said charges.
 12. Any lost or stolen credit cards shall be reported immediately to the Wayne County Administrator, County Auditor, and in the case of theft to the Sheriff.
 13. For any orders placed by phone, fax, mail or E-mail, a receipt must be requested detailing the merchandise purchased, price, freight, shipping etc. and must be included with the goods mailed or shipped.
 14. Notwithstanding any of the above, County credit cards can be used for any other transaction without monetary limit provided, and on condition, that the purchase is duly authorized in advance by Resolution of the Wayne County Board of Supervisors.
 15. All purchases made under this policy shall comply with Wayne County Purchasing Policies and the provisions of General Municipal Law §103 and all other competitive bidding laws of the State of New York.

and be it further

RESOLVED, that the Chairman of the Board of Supervisors, County Administrator and Purchasing Agent be, and hereby are authorized and directed to take such incidental actions as may be necessary to carry out the terms of this Resolution including the execution of any agreements with a bank or credit card issuer that may be necessary provided the same are in a form approved by the County Attorney; and be it further

RESOLVED, that the Purchasing Agent and County Auditor, upon verification that the charges contained on a credit card statement are true and correct, shall cause the bill to be paid in a timely manner so as to not incur additional fees or interest charges.

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

RESOLUTION NO. 486-10: AUTHORIZE SIGNING OF GRANT APPLICATION AND

ACCEPTANCE OF FUNDS UPON APPLICATION APPROVAL FOR EXXONMOBIL FOUNDATION STAR GRANT

Mr. Plant presented the following:

WHEREAS, the ExxonMobil foundation offers STAR grants in the amount of \$500 for 40 hours of volunteer work to agencies where ExxonMobil retirees or their family members volunteer and

WHEREAS, the volunteer who serves in the Victim/Witness Services office of the Wayne County District Attorney is the spouse of a Mobil retiree and

WHEREAS, the volunteer has fulfilled the minimum number of volunteer service hours required during the months of January through March of 2010 and

WHEREAS, the volunteer has requested that the grant be provided to the Victim/Witness services office for volunteer work performed and

WHEREAS, the county is required to provide at least a 20% local match for money received by the Victim Witness Services office from the NYS Crime Victims Board in the amount of \$11,268 now therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to sign the Grant Application for the ExxonMobil Foundations STAR grant on behalf of the County of Wayne, Victim/Witness Services and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors accept the funds upon application approval.

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

RESOLUTION NO. 487-10: AUTHORIZE EXECUTION OF CONTRACT FOR CRIME VICTIMS BOARD/NYS OFFICE OF VICTIM SERVICES

Mr. Plant presented the following:

WHEREAS, the State of New York has approved a three year VOCA grant application for Wayne County; and

WHEREAS, the State of New York requires an annual application for the continuation of funding for the Wayne County Crime Victim/Witness Services Program; and

WHEREAS the amount awarded for 2010 - 2011 is in the amount of \$47,220;and

WHEREAS the grant requires a minimum 20% local match; and

WHEREAS the amount of the local match necessary to meet the minimum expenses for the program is equal to \$14,104; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a Continued Funding Application on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the New York State Crime Victims Board for the continuation of Wayne County's Crime Victim/Witness Services program; and be it further

RESOLVED that the application is in the amount of \$61,324.00 of which \$47,220 is reimbursed for the period October 1, 2010 to September 30, 2011.

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

RESOLUTION NO. 488-10: AUTHORIZATION FOR THE DISTRICT ATTORNEY TO AMEND 2010 COUNTY BUDGET

Mr. Plant presented the following:

WHEREAS, the District Attorney has paid for appellate services for an unanticipated amount of appellate brief preparation in excess of the budgeted amount; and

WHEREAS, the District Attorney needs extra funds to pay anticipated appellate services for briefs for the remainder of 2010; now, therefore, be it

RESOLVED, that the County Treasurer is directed to amend the 2010 District Attorney County Budget as follows:

A1165 – District Attorney:

\$2,000.00 from .4220 Light and Power
\$2,000.00 from .54500 Fees for Services-Non Employees
\$4,000.00 to .54513 Appellate Services

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

RESOLUTION NO. 489-10: AUTHORIZATION TO PURCHASE RADIO PROGRAMMING SOFTWARE

Mr. Plant presented the following:

WHEREAS, the purchase of Motorola XTL1500 mobile radios, Motorola XTS1500 portable radios, and Motorola Minitor V pagers has been previously authorized in association with the Radio Interoperability Project; and

WHEREAS, programming for all the aforementioned radio equipment was not purchased with the units, as the County will assume responsibility for such radio equipment programming; and

WHEREAS, DC power supplies will be needed to power the radios for programming and burn-in operational testing during the programming process; now, therefore, be it

RESOLVED, that the 911 Coordinator shall be authorized to purchase one complete set of Motorola radio and pager programming software and cables from Finger Lakes Communications, with costs and detail as follows:

XTL and XTS software	\$412.50	
XTL Pro Cable	50.00	
XTS Cable	261.00	
Minitor V Programming Kit		224.00
Minitor V Programming Software	75.00	

and be it further

RESOLVED, that the 911 Coordinator shall be authorized to purchase four ICT 1220 DC power supplies at a cost of \$162.00 each, for a total cost not to exceed \$1,670.50.

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

RESOLUTION NO. 490-10: AUTHORIZATION TO AMEND THE 2010 COUNTY BUDGET AND PURCHASE A COMPUTER FOR 911

Mr. Plant presented the following:

WHEREAS, one of the Dell personal computers purchased in 2005, and utilized as a CAD (Computer Aided Dispatch) workstation is in need of replacement, as multiple repairs have been made to the unit recently, including hard drive replacement, with the unit still experiencing problems; and

WHEREAS, a quote was obtained through the IT Department for replacement of said computer with a Hewlett Packard computer, to be purchased off New York State contract; now, therefore, be it

RESOLVED, that the IT Department shall be authorized to purchase one HP computer for the E911 Department, in association with HP quote number 5245360, utilizing the current New York State purchasing contract for Hewlett Packard equipment, at a cost not to exceed \$680.00; and be it further

RESOLVED, that the County treasurer is hereby directed to make the following line item transfer within the 2010 County budget, to facilitate the above detailed purchase:

A3642 E911 Communications

\$680.00 FROM .54230 Telephone

\$680.00 TO .52201 Computer Equipment

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

RESOLUTION NO. 491-10: AUTHORIZATION TO MODIFY BUDGET AND EXPEND GRANT

FUNDS FOR THE WAYNE COUNTY EMERGENCY MANAGEMENT OFFICE

Mr. Plant presented the following:

WHEREAS, the Wayne County Emergency Management Office has received a FY09 State Homeland Security Grant in the amount of \$146,614 with no local grant required; and

WHEREAS, a portion of said grant application included the purchase and equipping of a vehicle for the purpose of radiological monitoring, enhanced communications capabilities, towing Emergency Management trailers; and the Department is desirous of replacing the current vehicle, a 1999 with 100,000 miles at no cost to the county; now, therefore, be it

RESOLVED, that the County Treasurer amend the 2010 County Budget as follows:

A3640-EMERGENCY MANAGEMENT

\$36,333.00 to .44306 Homeland Security Grant

\$36,333.00 to .52300 Motor Vehicle

and be it further

RESOLVED, that the Director of Emergency Management is authorized to purchase one (1) 2010 Chevrolet Tahoe under NYS Contract 21910-PF for a cost not to exceed \$36,333.00; and be it further

RESOLVED, that when the new vehicle is received, the Director is hereby authorized and directed to surplus the 1999 Ford Taurus (VIN 1FAFP52U9XG270760) being replaced and vehicle is to be sold in the next municipal auction; not to be reassigned to another County Department; and be it further

RESOLVED, that this new vehicle will not be replaced with County Funds when surplused in the future.

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

RESOLUTION NO. 492-10: AUTHORIZATION TO PARTICIPATE IN 2010 COMPANION ANIMAL SHELTERING EQUIPMENT (CASE) GRANT PROGRAM

Mr. Plant presented the following:

WHEREAS, there is up to \$60,000 available with no local match required in the FY2010 State Homeland Security Program (SHSP) for Regional CASE grant applications to develop regional equipment caches to support the capability to provide temporary emergency sheltering for pets and companion animals during emergencies and disasters; and

WHEREAS, the New York State Pet Evacuation and Transportation Standards Acts of 2006 amended Article 2B of the New York State Executive Law to include the utilization and coordination of programs to assist individuals with household pets and service animals following a disaster, with particular attention to means of evacuation, shelter and transportation options; and

WHEREAS, the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196b) as amended by the Pets Evacuation and Transportation Standards Act of 2006, requires that State and local emergency plans take into account the needs of individuals with household pets and service animals before, during, and after an emergency; and

WHEREAS, the Wayne County Emergency Management Office, Cayuga County Emergency Management Office, and Seneca County Emergency Management Office are desirous to comply with the requirements of the aforementioned acts at minimal local taxpayer cost; now, therefore, be it

RESOLVED to authorize the Director of Emergency Management to apply for said grant.

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

RESOLUTION NO. 493-10: AUTHORIZATION TO EXPEND FUNDS FOR COMMUNICATIONS EQUIPMENT FOR WAYNE COUNTY EMERGENCY MANAGEMENT

Mr. Plant presented the following:

WHEREAS, there is a need for reliable radio communications at locations typically not served by radio communications (hospital, congregate care centers, et al) during a disaster or

other emergency; and

WHEREAS, the Radio Amateur Civil Emergency Service (RACES) and the Military Auxiliary Radio System (MARS) have a long history of providing auxiliary communications for military, federal, civil, and/or disaster officials during periods of emergency; and

WHEREAS, Wayne County Emergency Management is desirous of establishing emergency communications at these locations and others during times of radiological emergencies or other disasters; and

WHEREAS, this proposal will provide for the purchase of three base station radios and eight mobile radio stations with associated antennas and other required accessories that will be housed at the Wayne County Emergency Operations Center until needed; and

WHEREAS, there is adequate funding in A36402.5200 to support this purchase; and

WHEREAS, the expenditure of these funds is in accordance with NYS Executive Law Article 2-B § 29-c. Radiological Preparedness that requires Nuclear License Fee funds be used specifically for Radiological Emergency Preparedness; now, therefore, be it

RESOLVED, that the Director of Emergency Management is authorized to purchase the necessary equipment to establish and maintain said emergency communications.

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

RESOLUTION NO. 494-10: AUTHORIZATION TO CREATE POSITION AND APPOINT VOLUNTEER TRAINING SUPPORT OFFICER FOR FIRE TRAINING FACILITY

Mr. Plant presented the following:

WHEREAS, the Wayne County Fire Coordinator oversees the Fire Training Facility; and

WHEREAS, the Fire Training Facility must be prepared with aids and props fabricated to simulate actual fire conditions for realistic and effective training; and

WHEREAS, this preparation has been accomplished by volunteers, and the County wishes to formalize and authorize this continued support and activity; now, therefore, be it

RESOLVED, that one (1) position of volunteer (unpaid) Training Support Officer is hereby created effective July 20, 2010, under the direction of the Fire Coordinator; and be it further

RESOLVED, that Harry Aunkst is hereby named to the volunteer position of Training Support Officer.

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

RESOLUTION NO. 495-10: AUTHORIZATION TO ENTER INTO A LEASE AGREEMENT WITH TOSHIBA FOR A COLOR COPIER FOR THE WAYNE COUNTY SHERIFF'S OFFICE

Mr. Plant presented the following:

WHEREAS, the Wayne County Sheriff's Office currently has a lease agreement with Xerox for a color copier (budget account number A3150-54408); and

WHEREAS, the monthly charge for said copier is \$705.38, plus \$.0084 per black and white image and \$.089 per color image, with an average monthly use of 1775 black and white images and 220 color images; and

WHEREAS, said lease agreement with Xerox is due to expire July 31, 2010; and

WHEREAS, the Sheriff's Office has the continued need for a color copier to expeditiously print and duplicate high quality color crime scene photos; accident investigation photos; fire investigation photos; missing person and wanted posters; aerial maps; other evidentiary images and documents needing to be in color; and the duplication of images in color to assist other county and public service agencies; and

WHEREAS, Wayne County currently has lease agreements with Toshiba for black and white copiers; and

WHEREAS, the Sheriff is requesting to enter into a 41 month lease agreement with Toshiba starting August 1, 2010, for a Toshiba *e-studio 3530c* color copier/printer/scanner/fax machine for a monthly charge of \$288.00 a month, plus \$.011 per black and white image and \$.0585 per color image; and

Rochester, NY 14621 \$224,377.00 \$ 1,500.00
And

WHEREAS, the low bidder Leo J. Roth has requested that their bid be withdrawn from consideration because of a mathematical error in the preparation of said bid; and

WHEREAS, the Wayne County Attorney has reviewed said request from Leo J. Roth Corporation to withdraw their bid and documentation submitted in support of that request and recommends that the Board of Supervisors allow said bid to be withdrawn and the bid deposit returned to Leo J. Roth Corporation, and

WHEREAS, the remaining bids have been reviewed by the Buildings and Grounds Superintendent and the Wayne County Attorney; now, therefore, be it

RESOLVED, that the bid of Leo J. Roth Corporation is withdrawn as per their request because of a mathematical error; and be it further

RESOLVED, the Clerk of the Board is hereby directed to return the bid deposit of Leo J. Roth Corporation; and be it further

RESOLVED, that the Board of Supervisors hereby accepts the Bid submitted by Elmer W. Davis, for the Roof Replacement for the Wayne County Clerk/DMV Office Building located at 9 Pearl St., at a cost of \$224,377.00, and be it further

RESOLVED, that the County Treasurer is hereby directed to amend the 2010 County Budget as follows:

A1615-BUILDINGS AND GROUNDS:

\$224,377.00 to .54000 Contractual Expense

A1990-CONTINGENT FUND GEN:

\$224,377.00 from .54000 Contractual Expense

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

RESOLUTION NO. 498-10: AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT WITH TRAILWORKS, INC.

Mr. LeRoy presented the following:

WHEREAS, Trailworks, Inc. wishes to assist in the ongoing maintenance of various Trails owned by Wayne County; and

WHEREAS, The County Attorney and the Superintendent of Buildings and Grounds have prepared a proposed license agreement with specific tasks that may be performed by Trailworks, Inc; and

WHEREAS, Trailworks, Inc. does not have liability insurance; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into a license agreement with Trailworks, Inc. subject to the approval of the Wayne County Attorney for an initial one (1) year period commencing August 1, 2010 through July 31, 2011 with the option to extend said license agreement for successive one (1) year periods; and be it further

RESOLVED, that the County insurance and indemnification requirements regarding said license agreement are hereby waived.

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

RESOLUTION NO. 499-10: AUTHORIZATION TO ISSUE REQUEST FOR PROPOSALS TO SELECT ENERGY SERVICE COMPANY (ESCO)

Mr. LeRoy presented the following:

WHEREAS, the County Government owns and occupies numerous structures of varying vintages; and

WHEREAS, some of these structures are in need of improved and upgraded Heating, Ventilation, and Air Conditioning Systems, windows and doors, and lighting systems; and

WHEREAS, all of these structures can be made more energy efficient; and

WHEREAS, through Energy Performance Contracting the County can seek to make the

necessary energy efficiency improvements and pay for those improvements with guaranteed energy savings; and

WHEREAS, the New York State Energy Law provides for the ability for the county to solicit proposals from qualified Energy Service Companies to identify needed improvements, design the improvements, and coordinate the installation of those improvements in order to make facilities more energy efficient and in turn apply the energy cost savings from those improvements to pay for the cost of the improvements over a specified period of time; now, therefore, be it

RESOLVED, that the County Administrator and the Superintendent of Buildings and Grounds are authorized to issue a Request for Proposals through the Clerk of the Board of Supervisors to qualified Energy Services Companies to provide Wayne County with proposals to develop and implement Energy Conservation Measures on a Performance Contracting Basis at specified county-owned facilities; and be it further

RESOLVED, that the Request for Proposals shall include notification to the proposers that the townships within Wayne County may also participate in the program on an individual township option basis after a qualified ESCO is selected by the county.

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

RESOLUTION NO. 500-10: AUTHORIZATION TO APPROVE 2010 HIGHWAY CONSTRUCTION AND SUPPLEMENTAL PROJECT STATEMENTS AND APPROPRIATE FUNDS

Mr. LeRoy presented the following:

WHEREAS, the New York State Department of Transportation has approved and allocated additional CHIPS Funds for the 2010-2011 Fiscal Year; and

WHEREAS, the original CHIPS Funds allocated by the state was increased to \$632,261.12 for the Fiscal Year 2010-2011 Fiscal Year; and

WHEREAS, the county originally budgeted for \$1,700,000; and

WHEREAS, in accordance with Section 115 of the Highway Law, the Superintendent of Highways has prepared project statements for the proposed work for the following projects:

10-34	Miscellaneous Nova Chip Paving Project	\$450,000
10-31	Miscellaneous Drainage Culvert Project	\$100,000
10-28	Ridge Road Shoulder Project	\$ 80,000
10-29	Hot In-Place Recycle Project	\$130,000

and supplemental project statement of proposed work for the following projects:

09-18	Miscellaneous Guard Rail Project	\$ 24,255
10-36	Smith Road Culvert Project	\$ 35,000
10-46	Miscellaneous Bridge Maintenance & Repair Project	\$ 80,170

now, therefore, be it

RESOLVED, that the Project Statements prepared by the Superintendent of Highways are hereby approved by the Board of Supervisors, and the Chairman of the Board and the Clerk of the Board are hereby authorized and directed to endorse such approval on the Project Statements; and be it further

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

D99990 – OTHER:

\$899,425 to .43501 Consolidated Highway Aid

D5112 ROAD CONSTRUCTION:

\$ 450,000.00	to .52634	Miscellaneous Nova Chip Paving Project
\$ 100,000.00	to .52631	Miscellaneous Drainage Culvert Project
\$ 80,000.00	to .52628	Ridge Road Shoulder Project
\$ 130,000.00	to .52629	Hot In-Place Project
\$ 24,255.00	to .52618	Miscellaneous Guard Rail Project
\$ 35,000.00	to .52636	Smith Road Culvert Project

\$ 80,170.00 to .52946 Miscellaneous Bridge Maintenance & Repair Project

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

RESOLUTION NO. 501-10: AUTHORIZATION TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH BARTON AND LOGUIDICE FOR THE LEROY ISLAND BRIDGE PROJECT

Mr. LeRoy presented the following:

WHEREAS, as a result of the construction of the temporary detour for the Leroy Island Bridge, sediment was displaced from the bottom of the bay and has created a small raised island limiting flow and access to several adjacent properties; and

WHEREAS, this sediment island was identified at the completion of the project and it was anticipated that it would naturally dissipate over time due to wave action and ice movement; and

WHEREAS, this sediment island has not dissipated so several discussions have occurred with the NYSDEC, Town Supervisor, local residents and the Highway Superintendent to formulate a plan for remediation; and

WHEREAS, the NYSDEC will require a permit application with documentation before a permit will be issued to complete the work; and

WHEREAS, since Barton and Loguidice has much of the information required, is intimately familiar with the project, and has experience with preparing NYSDEC permit applications, they have provided a proposal of \$4000 to prepare a permit application and obtain the permit to remediate the sediment; and

WHEREAS, since the work is directly related to the Bridge project, the expenses incurred are eligible for reimbursement and sufficient funds remain in the current project budget; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a supplemental agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Barton and Loguidice for the not-to-exceed cost of \$4000 associated with the Dredging permit for the Leroy Island bridge project.

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

RESOLUTION NO. 502-10: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH MASTERMIND SYSTEMS FOR THE CONSULTANT SERVICES FOR THE WAYNE COUNTY SAFE PASSING ZONE STUDY

Mr. LeRoy presented the following:

WHEREAS, the Wayne County Highway Department solicited for proposals for the Wayne County Safe Passing Zone Study as authorized in resolution 204-10, and

WHEREAS, three proposals were received from FRA Engineers, MasterMind Systems and GMB Engineers and Planners, and

WHEREAS, these proposals were reviewed and rated and the most qualified consultant was determined to be MasterMind Systems from Elmore Ohio, and

WHEREAS, MasterMinds proposed fee to complete the work is \$36,946 which is within the \$37,500 budget allocated for this project (D51122.52627) , therefore now, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an agreement on behalf of the County of Wayne, subject to the County Attorney's approval as

to form and content, with MasterMind Systems for the not-to-exceed cost of \$36,946 associated with the consulting services in the Wayne County Safe Passing Zone Study.

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

RESOLUTION NO. 503-10: AUTHORIZATION TO ADVERTISE FOR PROPOSALS FOR ENGINEERING SERVICES FOR THE NOBLE ROAD AND THE YELLOW MILLS ROAD BRIDGE PROJECTS

Mr. LeRoy presented the following:

WHEREAS, the Noble Road Bridge over Black Creek project in Galen and the Yellow Mills Road Bridge over Ganargua Creek project in Macedon are both listed on the Genesee Transportation Councils Transportation Improvement Program (TIP) for funding beginning in October 2010; and

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

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

RESOLVED, that the Highway Superintendent is hereby authorized and directed to request proposals for engineering services for the Noble Road and Yellow Mills Bridge projects.

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

RESOLUTION NO. 504-10: AUTHORIZATION TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH HUNT ENGINEERS FOR THE CHRISTIAN HOLLER ROAD BRIDGE PROJECT

Mr. LeRoy presented the following:

WHEREAS, a full time inspector is required to document all quantities installed and to assure all work is in accordance to the design documents; and

WHEREAS, the duration of construction required a full time construction inspector to spend an additional 120 hours (3 weeks) performing on-site and in-plant inspections for the concrete beam fabrication; and

WHEREAS, Hunt Engineers has provided backup documenting the actual hours and expenses expended; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a supplemental agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Hunt Engineers for the costs associated with the Construction Inspection Services; and be it further

RESOLVED, that the Treasurer is to pay the additional not-to-exceed cost of \$7100 associated with the Construction Inspection in accordance with Resolution No. 203-09.

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

RESOLUTION NO. 505-10: AUTHORIZING GROUND LEASE WITH THE TOWN OF ARCADIA FOR THE SITE OF THE MATERIALS RECOVERY CENTER, THE CURBSIDE COLLECTION FLEET AND THE YARD WASTE COMPOSTING PROGRAM AND AUTHORIZING ASSIGNMENT OF LEASE TO THE WESTERN FINGER LAKES SOLID WASTE MANAGEMENT AUTHORITY

Mr. Spickerman presented the following:

WHEREAS, the Board of Supervisors desires to have the Western Finger Lakes Solid Waste Management Authority ("Authority") to continue to operate the recycling and related programs in Wayne County; and

WHEREAS, the program is the operation by the Authority of a curbside recycling collection program; a Materials Recovery Facility ("MRF") for the purpose of processing the recyclable materials collected under the program and a yard waste composting program; and

WHEREAS, the Town of Arcadia has agreed to lease a portion of the Arcadia Landfill property to the County to be used as the site for these activities, and has agreed that the County may assign the lease to the Authority; and

WHEREAS, the Authority previously furnished to the Board of Supervisors a "Phase I" Environmental Audit Report and Certification, in form and substance at the request of the Authority, which revealed no evidence that any pollutant or other toxic or hazardous substance, as defined under the Comprehensive Environmental Response, Compensation and Liability Act, or any other applicable federal, state or local law, is known to be present on the proposed site; and

WHEREAS, the County Planning Director has presented to the Board of Supervisors (1) a proposed Ground Lease for the site, to be executed by the County and the Town and (2) a proposed Assignment of Lease to be executed by the County, the Town, and the Authority; now, therefore, be it

RESOLVED, that the Ground Lease and the Assignment of Lease presented by the Planning Director are hereby approved, and the Chairman of the Board of Supervisors is hereby authorized and directed to execute the Ground Lease and the Assignment of Lease as presented, subject to such technical corrections and changes as may be deemed necessary or desirable by the County Attorney.

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

RESOLUTION NO. 506-10: AMEND RESOLUTION NO. 565-04 TO AUTHORIZE JOINT MUNICIPAL IMPROVEMENT PROJECT FOR THE TOWN OF SAVANNAH

Mr. Spickerman presented the following:

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

WHEREAS, Resolution No. 565-04 authorized funding for the Town of Savannah in an amount of one third the project cost or \$15,000, whichever is less, for a downtown improvement program replacing curbs and sidewalks in the Hamlet's central business district; and

WHEREAS, the Town of Savannah has decided to install streetlights and to defer curbs and sidewalks to a later date; now, therefore, be it

RESOLVED, that Resolution No. 565-04 is amended by deleting curbs and sidewalks and replacing them with the installation of new streetlights in the Hamlet of Savannah's central business district.

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

RESOLUTION NO. 507-10: ACCEPT NYS DEPARTMENT OF STATE LOCAL WATERFRONT REVITALIZATION GRANT AND AUTHORIZE ADMINISTRATIVE AGREEMENT WITH THE WESTERN ERIE CANAL ALLIANCE

Mr. Spickerman presented the following:

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

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

WHEREAS, Wayne County was awarded a \$240,000 grant from the LWRP program, with the required 50 percent matching funds to be acquired from the inaugural National Trust for Historic

Preservation's Main Street Center ("NTMSC") Local Main Street programs, which are located in the Village of Lockport in Niagara County, the Village of Albion in Orleans County and the Village of Lyons in Wayne County; and

WHEREAS, the Genesee Finger Lakes Regional Planning Council proposed a part-time Main Street Coordinator to administer this program, which would have resulted in the revocation of the license issued by the NTMSC Four Points Program to these communities because they required a full time coordinator; and

WHEREAS, Resolution 908-09 instructed the Western Erie Canal Alliance ("WECA") to submit a proposal for inclusion in the administrative structure of this program to preserve the license from the NTMSC, which has been done; and

WHEREAS, the Genesee Finger Lakes Regional Planning Council will no longer administer the LWRP grant, but rather will provide services to WECA in connection with the preparation of a Historic Preservation Guidebook for participating Main Street communities; and

WHEREAS, the NYS Department of State concurs with the new role for the Genesee Finger Lakes Regional Planning Council in connection with the LWRP grant; now, therefore, be it

RESOLVED, that Wayne County accepts the \$240,000 grant awarded by the NYS Department of State from its Local Waterfront Revitalization Program; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute an agreement with the Western Erie Canal Alliance for administration of the LWRP grant awarded to Wayne County, at no cost to the County, subject to approval as to form and content by the County Attorney; and be it further

RESOLVED, that the staff of the Wayne County Planning Department is authorized to provide technical assistance to WECA in the administration of this grant program.

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

RESOLUTION NO. 508-10: AUTHORIZATION TO ACCEPT PROPOSAL AND EXECUTE CONTRACT WITH LINSTAR FOR PLASTIC PERMIT IDENTIFICATION CARDS

Mrs. Collier presented the following:

WHEREAS, The Office of the County Clerk has requested a proposals to purchase a new Plastic permit ID card system in the Office of the County Clerk; and

WHEREAS, a detailed review of all response submitted was then conducted; now, therefore, be it,

RESOLVED, that the proposal of Identocard, a Plastic permit ID card system at a cost of \$17,815.04 is hereby accepted and the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, Subject to the County Attorney's approval as to form and content; and be it further

RESOLVED, that the Department of Information Technology is hereby authorized to expend up to \$600.00 for the purchase of hardware to support said proposal out of the County Clerks budget; and be it further

RESOLVED, that the County Treasurer is hereby directed to amend the 2010 County Budget as follows:

A1410-COUNTY CLERK:

\$ 6,890.00 to .44255 County Clerk Fees

\$14,626.67 to .52500 Other Equipment

\$ 1,665.65 to .51450 Office Supplies

\$ 2,122.72 to .54424 Equipment-Maint Contract

A1990-CONTINGENT FUND GEN:

\$11,525.04 from .54000 Contractual Expense

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

RESOLUTION NO. 509-10: AUTHORIZATION TO PARTICIPATE IN A COOPERATIVE BID COORDINATED BY THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF ONTARIO, SENECA, WAYNE AND YATES COUNTIES FOR VARIOUS COMMODITIES AND/OR SERVICES

Mrs. Collier presented the following:

WHEREAS, the County of Wayne ("County") desires to participate in a Cooperative Bidding Program conducted by the Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties ("BOCES") from year to year or, until this Resolution is rescinded, for the purchase of various commodities and/or services; and

WHEREAS, the County is desirous of participating with BOCES in the joint bid of the commodities and/or services on file with the Clerk of the Board as authorized by General Municipal Law, Section 119-o; and

WHEREAS, the County has appointed BOCES as representative to assume the responsibility for drafting specifications, advertising for bids, accepting and opening bids, tabulating bids, reporting the results to the County and making recommendations thereon; now, therefore, be it

RESOLVED, that the County hereby accepts the appointment of BOCES to represent it in all matters related above; and be it further

RESOLVED, that the County hereby authorizes the above-mentioned BOCES to represent it in all matters regarding the entering into contract(s) for the purchase of the commodities and/or services; and be it further

RESOLVED, that the County agrees to assume its equitable share of the costs incurred as a result of the cooperative bidding; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with BOCES for participation in cooperative bidding conducted by BOCES for various commodities and services and if requested to furnish BOCES with an estimated minimum number of units that will be purchased by BOCES; and be it further

RESOLVED, that the Board of Supervisors hereby authorizes BOCES to award cooperative bids to the bidder deemed to be the lowest responsive and responsible meeting the bids specification and otherwise complying with Article 5-A of the General Municipal Law of the State of New York relating to public bids and contracts; and be it further

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to send a copy of this resolution to the Clerks of the legislative bodies of Seneca, Ontario and Yates Counties and John Baker, Regional Support Center, Eisenhower Building, 131 Drumlin Court, Newark, New York, 14513-1863.

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

RESOLUTION NO. 510-10: AUTHORIZE CONTRACT WITH KIRTAS TECHNOLOGIES, INC. FOR SCANNING AND ARCHIVING SERVICES FOR THE COUNTY HISTORIAN

Mrs. Collier presented the following:

WHEREAS, the County Historian has applied for and received approval for a \$2,000.00 Hoffman Foundation Grant to continue the scanning and archiving of County historical Hoffman Essays; and

WHEREAS, Kirtas Technologies, Inc. has provided a written quote for these scanning and archiving services; now, therefore, be it

RESOLVED, that the Chairman of the Board is hereby authorized to sign the contract, based upon the review and approval of the County Attorney; and be it further

RESOLVED, that the contract will not exceed the grant/budget line amount of \$2,013 (budget line A75104 54484).

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

RESOLUTION NO. 511-10: AUTHORIZATION TO ESTABLISH ONE (1) POSITION OF VOTING MACHINE TECHNICIAN AND TWO (2) POSITIONS OF ELECTIONS TRAINING COORDINATOR IN THE BOARD OF ELECTIONS

Mrs. Collier presented the following:

WHEREAS, the Board of Elections has a need for individuals to provide services relating to Election Inspector training, Primary Elections and Election Day, but not at other times of the year; and

WHEREAS, IRS regulations allow for such individuals who receive less than \$600 per year to be paid by voucher (1099) rather than through the payroll system; and

WHEREAS, IRS regulations require that such individuals who earn more than \$600 per year be paid through the payroll system with such payment subject to withholding; and

WHEREAS, the Director of Human Resources and the Election's Commissioners have determined that three (3) individuals previously paid by voucher must now be paid as employees; and

WHEREAS these new positions will be placed in the unclassified service (Appendix D) pursuant to the Rules for the Classified Service of Wayne County, and paid at hourly rates equal to the rates previously paid by voucher as follows; now, therefore, be it

RESOLVED that the one (1) position of Voting Machine Technician (\$15.00 per hour) and two (2) positions of Elections Training Coordinator (\$12.50 per hour), are established effective July 20, 2010; and be it further

RESOLVED that the County Treasurer is hereby authorized to amend the 2010 County Budget to affect this change, as follows:

A1450 – Board of Elections

\$2,880 to 51665 Voting Machine Technician

\$3,750 to 51578 Election Training Coordinator

\$508.00 from 58200 Payment to Social Security

\$7,138 from 54421 Elections Expense

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

Mr. Lauderdale asked County Administrator Marquette to explain to the Board why these contracted positions needed to be changed to budgeted positions. Mr. Marquette commented that as a result of the Internal Revenue Services Exam completed earlier this spring, the county is in the process of making changes to comply with the regulations pertaining to contracted individuals in this department and others. He added that more changes within other county positions will be for certain later this year.

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

RESOLUTION NO. 512-10: RESOLUTION AMENDING RESOLUTION 272-08: "AUTHORIZATION TO AMEND COUNTY POLICY - DELEGATING AUTHORITY TO COUNTY ADMINISTRATOR TO AUTHORIZE ATTENDANCE AT CONFERENCES, CONVENTIONS, SCHOOLS, SEMINARS AND WORKSHOPS HELD WITHIN THE STATE OF NEW YORK" TO INCLUDE PROVISION FOR PAYMENTS IN ADVANCE OF SCHEDULED EVENT

Mrs. Collier presented the following:

WHEREAS, Wayne County's policy currently is interpreted that the county only provides reimbursement of expenses to employees who attend authorized conferences, conventions, schools, seminars, and workshops on a reimbursement basis only and that the county cannot make payments prior to the scheduled travel, training, or conference; and

WHEREAS, this aspect of the policy impacts certain employees to the extent that they are paying the front end costs of these authorized County expenses and are required to wait for reimbursement until after the scheduled event; and

WHEREAS, it is desirable to change this policy to allow for flexibility and to continue to

protect the interest of the County Government; and

WHEREAS, in some instances advance payments for registrations, lodging, and common carrier travel can reduce the cost or provide for early registration or payment discounts; and

WHEREAS, the policy currently is:

"Pursuant to Article 5 Section 77-b(2) of the General Municipal Law and Section 450(3) of the County Law the Board of Supervisors hereby delegates to the County Administrator the power to authorize County officers and employees to attend conferences, conventions, schools, seminars and workshops conducted for the betterment of county government, subject to the following provisions:

- 1.) the request is within the limits of the departmental appropriations for such purposes per the review of the County Budget Officer; and
- 2.) the request is for travel within the State of New York

All requests for travel that are in excess of the departmental appropriations for such purposes shall require the approval of the Board of Supervisors; and all requests for out-of-state travel shall be reviewed by the County Administrator and referred to the department's Standing Committee and the Chairman of the Board of Supervisors.

The Board of Supervisors hereby delegates to the department's Standing Committee, and the Chairman of the Board of Supervisors the power to jointly authorize County officers and employees to attend conferences, conventions, schools, seminars, and workshops conducted outside the state of New York within the limits of the departmental appropriations for such purposes per the review of the County Budget Officer and after the review and recommendation of the County Administrator.

All actual and necessary expenses incurred for registration fees, travel, meals, and lodging in connection with such attendance shall be a County charge, provided, however, that said charges are supported by original receipts (except mileage) and do not exceed the approved amounts.

This resolution supersedes Resolutions No. 233-95, No. 357-82, No. 154-78, No. 152-89 and No. 12-91"; now, therefore, be it

RESOLVED, that the policy be amended to read:

"Pursuant to Article 5 Section 77-b(2) of the General Municipal Law and Section 450(3) of the County Law the Board of Supervisors hereby delegates to the County Administrator the power to authorize County officers and employees to attend conferences, conventions, schools, seminars and workshops conducted for the betterment of county government, subject to the following provisions:

- 3.) the request is within the limits of the departmental appropriations for such purposes per the review of the County Budget Officer; and
- 4.) the request is for travel within the State of New York

All requests for travel that are in excess of the departmental appropriations for such purposes shall require the approval of the Board of Supervisors; and all requests for out-of-state travel shall be reviewed by the County Administrator and referred to the department's Standing Committee and the Chairman of the Board of Supervisors.

The Board of Supervisors hereby delegates to the department's Standing Committee, and the Chairman of the Board of Supervisors the power to jointly authorize County officers and employees to attend conferences, conventions, schools, seminars, and workshops conducted outside the state of New York within the limits of the departmental appropriations for such purposes per the review of the County Budget Officer and after the review and recommendation of the County Administrator.

All actual and necessary expenses incurred for registration fees, travel, meals, and lodging in connection with such attendance shall be a County charge, provided, however, that said charges are supported by original receipts (except mileage) and do not exceed the approved amounts.

To the extent necessary and within the guidelines of this and other county policies and procedures, approved registration fees, common carrier travel, and lodging costs

supported by evidence of the cost to be incurred may be paid in advance by the county directly to those entities requiring payment OR if an employee has incurred the expense and provided said costs are supported by receipts they may be reimbursed to an employee in advance of the scheduled event. Under no circumstance may mileage payments or other expenses (i.e. meals) be advanced to an employee by the county. Department Heads and other county employees within the respective departments for whom advance payments were made are responsible for ensuring that any cost or fee incurred in advance of attendance are properly refunded and credited to the county in the event of cancellation of attendance at an approved conference, convention, school, seminar or workshop.

This resolution supersedes Resolutions No. 233-95, No. 357-82, No. 154-78, No. 152-89 and No. 12-91."

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

RESOLUTION NO. 513-10: ESTABLISHING STANDARD WORK DAY AND REPORTING RESOLUTION FOR ELECTED AND APPOINTED OFFICIALS TO COMPLY WITH CHANGES TO NYS RETIREMENT LAW

Mrs. Collier presented the following:

WHEREAS, New York State has issued new regulations concerning the establishment of a standard work day for elected and appointed officials who begin new terms of office on or after August 12, 2009; and

WHEREAS, the Board reaffirms resolution 452-08/17/93 establishing a standard work day of six (6) hours for the Wayne County Board of Supervisors and for part-time appointed officials who are not subject to collective bargaining agreements; and

WHEREAS, the following officials have been elected or appointed after August 12, 2009 and therefore are subject to the new regulations; now, therefore, be it

RESOLVED that the County of Wayne hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Elected Officials	Name	Standard Work-day (hrs/day)	Term begins/Ends	Employer Record of Time worked (y/n)	Days/ Month
Supervisor	Laurie Crane	6	1/1/2010-12/31/2011	N	8.50
Supervisor	Brian Manktelow	6	1/1/2010-12/31/2011	N	5.33
Supervisor	William Hammond	6	1/1/2010-12/31/2011	N	3.88
Supervisor	Jolene Bender	6	1/1/2010-12/31/2011	N	10.90
Supervisor	Robert Kelsch	6	1/1/2010-12/31/2011	N	4.45
Supervisor	Kenneth Miller	6	1/1/2010-12/31/2011	N	7.16
Supervisor	Steven Leroy	6	1/1/2010-12/31/2011	N	6.52
Supervisor	Robert Plant	6	1/1/2010-12/31/2013	N	7.26
Supervisor	Kim Park	6	1/1/2010-	N	5.3

			12/31/2011		
Supervisor	Lucinda Collier	6	1/1/2010-12/31/2011	N	8.07
Sheriff	Barry Virts	8	1/1/2010-12/31/2013	Y	N/A
County Clerk	Michael Jankowski	7	1/1/2010-12/31/2013	Y	N/A
Appointed Officials					
Clerk of Board	Sandra Sloane	7	1/1/2010-1/1/2011	Y	N/A
Dept Clerk Board	Debbie Liseno	7	1/1/2010-1/1/2011	Y	N/A
County Admin.	James Marquette	7	1/1/2010-12/31/2011	Y	N/A
County Attorney	Daniel Wyner	7	1/1/2010-12/31/2011	Y	N/A
Asst County Attorney	Daniel Connors	7	1/1/2010-12/31/2011	Y	N/A
Asst Public Defender	James Kernan	7	1/1/2010-12/31/2010	Y	N/A
Asst Public Defender	Andrew Correia	7	1/1/2010-12/31/2010	Y	N/A
Asst Public Defender	Gregory Power	7	1/1/2010-12/31/2010	Y	N/A
Asst Public Defender	Robert Zimmerman	7	1/1/2010-12/31/2010	Y	N/A
Asst Public Defender	John Grow	7	1/1/2010-12/31/2010	Y	N/A
Asst Public Defender	Mark Krause	7	1/1/2010-12/31/2010	Y	N/A
County Auditor	Linda Harissis	7	1/1/2010-12/31/2011	Y	N/A
Commission of DSS	M. Josh McCrossen	7	2/15/2010-2/14/2015	Y	N/A

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

RESOLUTION NO. 514-10: AUTHORIZATION FOR MENTAL HEALTH DEPARTMENT TO CONTRACT WITH WORLD WIDE DICTATION, AND AMEND THE 2010 BUDGET

Ms. Park presented the following:

WHEREAS, the Mental Health Department in the course of its regular daily business produces a variety of confidential medical records, which in some cases include reports that are dictated by professional staff and then transcribed; and

WHEREAS, our dictation volume related to this process has dramatically grown in recent months and has exceeded our current resource capacity to produce the transcribed reports in a satisfactorily timely manner; and

WHEREAS, contracting with this service will be the most cost effective strategy to address the increase in work volume along with a 24 hour turn-a-round time; now, therefore, be it

RESOLVED, that the Mental Health Department and Chairman of the Board is authorized to establish a contract with World Wide Dictation at a rate of .07 cents per line; and be it further

RESOLVED that the County Treasurer is hereby directed to amend the 2010 Budget as follows:

A4300-BEHAVIORAL HEALTH:

\$20,000 from .52300.M5120 Motor Vehicles

\$20,000 to .54185.M8200 Transcripts

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

RESOLUTION NO. 515-10: AUTHORIZATION TO SOLICIT REQUESTS FOR PROPOSALS FOR PHARMACY SERVICES FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the contract between Health Direct for Pharmacy Services and the Wayne County Nursing Home will expire on December 31, 2010; and

WHEREAS, the Wayne County Nursing Home is desirous of soliciting requests proposals for the provision of pharmacy services from January 1, 2011 to December 31, 2015; now, therefore, be it

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

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

RESOLUTION NO. 516-10: AUTHORIZING THE FILING OF A CERTIFICATE OF NEED (CON) FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the Wayne County Nursing Home has had minimal utilization of the two respite beds since instituting the service in 2005; and

WHEREAS, it has been determined that it would be financially advantageous to change the two beds from respite to regular long term care beds; and

WHEREAS, it has been determined by the NYS Department of Health that a full Certificate of Need (CON) application must be filed to make a change that increases the nursing home bed complement; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors authorize the filing of the Certificate of Need with the NYS Department of Health for the purpose of changing the bed complement from 190 beds and 2 respite to 192 beds and 0 respite and the Chairman of the Board of Supervisors is authorized to sign on behalf of the Board; and be it further

RESOLVED, that the Nursing Home Administrator be authorized to prepare and file the Certificate of Need application with the NYS Department of Health along with any fees associated with said filing.

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

RESOLUTION NO. 517-10: AUTHORIZATION TO EXECUTE AGREEMENT WITH NAZARETH COLLEGE FOR NURSING EDUCATIONAL PROGRAM

Ms. Park presented the following:

WHEREAS, Nazareth College, Department of Nursing has an established educational program in nursing, and

WHEREAS, the college desires to affiliate for the purpose of obtaining adequate clinical experience for said educational program in nursing; and

WHEREAS, the Agency believes the value of the presence of such students will add to its operation; now, therefore, be it

RESOLVED, the Director of Public Health is hereby authorized and directed to execute

an agreement with Nazareth College for the purpose of providing clinical experience for students in their nursing program during school year - July 1, 2010 through June 30, 2011.

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

RESOLUTION NO. 518-10: AUTHORIZATION TO EXECUTE AGREEMENT WITH ST. JOHN FISHER COLLEGE--WEGMAN'S SCHOOL OF NURSING FOR NURSING EDUCATIONAL PROGRAM

Ms. Park presented the following:

WHEREAS, St. John Fisher College, Wegman's School of Nursing, has an established educational program in nursing; and

WHEREAS, the college desires to affiliate for the purpose of obtaining adequate clinical experience for said educational program in nursing; and

WHEREAS, the Agency believes the value of the presence of such students will add to its operation; now, therefore, be it

RESOLVED, the Director of Public Health is hereby authorized and directed to execute an agreement with St. John Fisher College – Wegman's School of Nursing for the purpose of providing clinical experience for students in their nursing program for the period June 1, 2010 through May 31, 2015.

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

RESOLUTION NO. 519-10: AUTHORIZATION TO CREATE A TEMPORARY FULL-TIME CLERK-TYPIST POSITION FOR EARLY INTERVENTION PROGRAM AND TRANSFER FUNDS

Ms. Park presented the following:

WHEREAS, the Early Intervention Program has received federal stimulus (ARRA) funding to be used to support the EI administration and stimulate the economy through Sept. 30, 2011; and

WHEREAS, the state has approved the request to hire a temporary full-time clerical position for additional clerical services to support the staff during conversion to NYEIS billing/records system transition and records management; and

WHEREAS, the state requires the position be procured competitively and this department has informed the state the civil service list would be used to procure the position; now, therefore, be it

RESOLVED, that the one temporary full-time clerk-typist position not to exceed 868 hours (124 days) during the period Oct. 1, 2010 – Sept. 30, 2011 is hereby created, at a cost not to exceed \$21,842; and be it further

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to transfer funds in the 2010 County Budget as follows:

A4016-EARLY INTERVENTION 0-1:

\$11,339.00 from .54451 EI Stimulus
\$ 6,287.00 to .51104 Clerk-Typist
\$ 748.00 to .58100 Payment to NYS Retirement
\$ 481.00 to .58200 Payments to Social Security
\$ 3,751.00 to .58400 Hospitalization
\$ 72.00 to .58600 Disability

Mr. Hammond 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. 520-10: BID AWARDS FOR TRANSPORTATION OF PRESCHOOL-AGE CHILDREN WITH PHYSICALLY HANDICAPPING CONDITIONS FOR THE PERIOD 9/1/10 -

8/31/11

Ms. Park presented the following:

WHEREAS, pursuant to the requirements of Section 4410 of the Education Law and Title II-A of the Public Health Law, the County has duly received bids for transportation of preschool-age children with handicapping conditions during the period September 1, 2010 - August 31, 2011, as shown on the bid tabulation on file with the Clerk of the Board of Supervisors; now, therefore, be it

RESOLVED, that the bids listed below are hereby accepted and the Chairman of the Board of Supervisors is hereby authorized and directed to execute the required contracts, subject to the County Attorney's approval as to form and content, with the respective bidders: Bidder: Arcadia Transportation Co., Inc., P.O. Box 432, Newark, NY 14513

Route No. and Location

1a	Mary Cariola Children's Center (Wayne/Gananda)		\$225.00 a.m., \$225.00 p.m.
1b	Mary Cariola Children's Center (Palmyra-Macedon)	\$225.00 a.m., \$225.00 p.m.	
1c	Mary Cariola Children's Center (full day) (Wayne/Gananda/Palmyra-Macedon)		\$225.00
2a	Monroe BOCES #1 (Wayne/Gananda/Penfield/Webster)		
	Roch. Elem. only	\$225.00 a.m., \$225.00 p.m.	
2b	Monroe BOCES #1 (Palmyra-Macedon) Roch. Elem. only	\$225.00 a.m., \$225.00 p.m.	
2c	Monroe BOCES #1 (Wayne/Gananda/Penfield/Webster)		
	BOCES Campus only	\$225.00 a.m., \$225.00 p.m.	
2d	Monroe BOCES #1 (Palmyra-Macedon)		
	BOCES Campus only	\$225.00 a.m., \$225.00 p.m.	
2e	Monroe BOCES #1 ((Williamson/Marion) All Locations -	\$225.00 a.m., \$225.00 p.m.	
2f	Monroe BOCES #1 (Palmyra-Macedon/Wayne Central/Gananda/ Webster/Penfield) E. Irondequoit only -		\$225.00 a.m., \$225.00 p.m.
3a	United Cerebral Palsy (Wayne/Gananda/Williamson)	\$225.00 a.m., \$225.00 p.m.	
3b	United Cerebral Palsy (Palmyra-Macedon)		\$225.00 a.m., \$225.00 p.m.
4a	E. John Gavras Center (Red Creek to Auburn)		\$225.00 a.m., \$225.00 p.m.
4b	E. John Gavras Center (Red Creek/N. Rose-Wolcott to Red Creek)		\$225.00 a.m., \$225.00 p.m.
5a	Rochester Hearing & Speech Center (Wayne/Gananda)	\$225.00 a.m., \$225.00 p.m.	
5b	Rochester Hearing & Speech Center (Palmyra-Macedon)	\$225.00 a.m., \$225.00 p.m.	
6a	Oswego BOCES (Red Creek/N. Rose-Wolcott)		\$ 2.00
6b	Oswego BOCES (mid-day Red Creek/N. Rose-Wolcott)	\$250.00	
7a	Finger Lakes United Cerebral Palsy (Newark/Lyons)		
	Geneva -	\$225.00 a.m., \$225.00 p.m.	
7b	Finger Lakes United Cerebral Palsy (Palmyra-Macedon)		
	Geneva -	\$225.00 a.m., \$225.00 p.m.	
7c	Finger Lakes United Cerebral Palsy (Clyde-Savannah)		
	Geneva -	\$225.00 a.m., \$225.00 p.m.	
7d	Finger Lakes United Cerebral Palsy (Marion) Geneva -	\$225.00 a.m., \$225.00 p.m.	
7e	Finger Lakes United Cerebral Palsy (Clyde-Savannah)		
	Waterloo -	\$225.00 a.m., \$225.00 p.m.	
7f	Finger Lakes United Cerebral Palsy (Palmyra-Macedon)		
	Canandaigua	\$225.00 a.m., \$225.00 p.m.	
7g	Finger Lakes United Cerebral Palsy (Newark)		
	Canandaigua -	\$225.00 a.m., \$225.00 p.m.	
7h	Finger Lakes United Cerebral Palsy (Wayne)		
	Canandaigua -	\$225.00 a.m., \$225.00 p.m.	
7i	Finger Lakes United Cerebral Palsy (Marion)		
	Canandaigua -	\$225.00 a.m., \$225.00 p.m.	
8a	Headstart Program (Red Creek to Huron)		\$268.00
9a	Communication Center for Hearing & Speech (Wayne/Gananda/Penfield/Webster/Palmyra-Macedon/Newark)		\$200.00

- 10a Stepping Stones Learning Center (Pal-Mac/Penfield/Gananda) \$225.00 a.m., \$225.00 p.m.
- 10b Stepping Stones Learning Center (Marion/Wmsn/Wayne&Webster) \$225.00 a.m., \$225.00 p.m.
- 10c Stepping Stones Learning Center (Lyons/Newark/Sodus) \$225.00 a.m., \$225.00 p.m.
- 10d Stepping Stones Learning Center (Red Ck/NRose-Wol/Clyde-Sav) \$225.00 a.m., \$225.00 p.m.
- 11a Roosevelt Children's Center (Penfield) \$225.00 a.m., \$225.00 p.m.
- 11b Roosevelt Children's Center (full day Penfield) \$225.00.
- 12a Roosevelt VCS \$225.00 a.m., \$225.00 p.m.
- 12b Roosevelt VCS

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

RESOLUTION NO. 521-10: AUTHORIZATION TO CONTRACT FAMILY AND COMMUNITIES TOGETHER SERVICES WITH WAYNE COUNTY SCHOOL SYSTEMS

Mrs. Crane presented the following:

WHEREAS, Families and Communities Together (FACT) is an interagency initiative designed to assist families of children who are having difficulty in their home, school, or community due to emotional and/or behavioral challenges. FACT serves children in grades K through 12 in seven school districts throughout Wayne County. The primary goal of FACT is to prevent out of home placements; and

WHEREAS, Seven Wayne County Superintendents have requested to enter a contractual agreement with the Department of Aging and Youth for the provision of FACT services in their schools districts; and

WHEREAS, the Department of Aging and Youth agrees to provide FACT services to a minimum number children requested per school district at a sum of \$500.00 per child; now, therefore, be it

RESOLVED, the Department of Aging and Youth requests authorization to contract, upon the review and approval of the County Attorney, with the schools listed below in the specified amount. The contract year will run from July1, 2010 through June 30 2011:

School	Youth Served	Total Cost
Sodus	30	\$15,000
NR/Wolcott	16	\$ 8,000
Lyons	10	\$ 5,000
Clyde	4	\$ 2,000
Palmyra	8	\$ 4,000
Marion	3	\$ 1,500
Newark	15	\$ 7,500
Total	86	\$43,000

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

RESOLUTION NO. 522-10: AUTHORIZATION FOR A BUDGET MODIFICATION TO THE AGING BUDGET

Mrs. Crane presented the following:

WHEREAS, the Department of Aging and Youth's Services Assistant who acts as the Health Insurance Information, Counseling, and Assistance Program (HIICAP) Coordinator has submitted her request for retirement effective July 23, 2010; and

WHEREAS, this employee provides neutral, unbiased information about Medicare, supplemental insurance, HMOs, Medicaid, Medicare buy-in programs, EPIC, and long term care insurance; and assists clients with billing questions, filing claims, comparing policy coverage, and understanding and enrolling in Medicare Part D plans; and

WHEREAS, since 2004, the number of seniors utilizing this program has more than

tripled and employees have delivered seven times the number of telephone and face-to-face contacts with Wayne County seniors who need assistance in understanding health insurance options and plans; and

WHEREAS, in 2009, the Department, fully staffed, had to turn clients away the last month of the open enrollment period because requests for assistance far exceeded our employees' ability to provide such assistance; and

WHEREAS, in addition, with the onset of the changes initiated by the Affordable Care Act and the entrance of baby boomers into the Medicare population, the trend for increased demand for these services is only going to continue; and

WHEREAS, the current HHCAP Coordinator is retiring with 10 weeks of accrued leave that would make the effective fill date September 30, 2010; and

WHEREAS, the open Enrollment for the Medicare Part D begins in October and ends December 31; and

WHEREAS, the Department is requesting to fill the Service Assistant position at the first opportunity after the current Services Assistant retires (7/23/10) in order to provide the extensive training required of the position prior to the open enrollment period; and

WHEREAS, the Department has had a vacant PT Senior Caseworker position since May 28, 2010 and will continue not to fill this position in order to cover all of the outstanding costs of the Services Assistant's accrued leave; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to make the following modifications to the following accounts in order to cover the accrued leave in the amount of \$7,585. at no additional county cost.

A67721-Area Agency on Aging:

\$7,585.00 from .51362 Senior Caseworker

\$7,585.00 to .51576 Service Assistant

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

RESOLUTION NO. 523-10: AUTHORIZATION TO CREATE TWO NEW POSITIONS IN DEPARTMENT OF SOCIAL SERVICES

Mrs. Crane presented the following:

WHEREAS, there has been a greater than 25% increase in Child Protective Services (CPS) reports between 2006 and 2010 while the caseworker staff has remained steady at 11 workers; and

WHEREAS, the New York State Office of Children and Family Services is strongly recommending that CPS workers carry no more than 12 cases as an active caseload; and

WHEREAS, high profile cases have occurred recently in other New York counties and local Departments of Social Services (DSS) were criticized for insufficient staffing patterns; now, therefore be it

RESOLVED, that two new caseworker positions be created to meet the increased caseload demands.

Mr. Groat 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. 524-10: AUTHORIZATION TO AMEND 2010 COUNTY BUDGET FOR THE CONSOLIDATION OF WORKFORCE DEVELOPMENT CONTRACT WITH WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES TO ADMINISTER AN INTENSIVE EMPLOYMENT AND A WORKSHOP PROGRAM FOR THE PERIOD JULY 1, 2010 to JUNE 30, 2011

Mrs. Crane presented the following:

WHEREAS, the Workforce Development Department has contracted with the Department of Social Services to administer a 3 day Workshop program and an Intensive Employment Program for the past several years; and

WHEREAS, with the shrinking resources provided by various federal and state funding

sources for these vital programs it has been determined that consolidation of the programs will provide the greatest flexibility in reaching the goals of both programs; and

WHEREAS, Resolution No. 490-10 authorized the contracting for these programs and the funding now needs to be put in place to operate said programs; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to amend the 2010 county budget as follows:

A6212-WFD-INTENSIVE EMPLOYMENT:

\$41,027.00 to .42766 DSS Reimbursement
\$14,071.00 to .51088 E & T Director II
\$ 8,356.00 to .51123 Account Clerk-Typist
\$ 6,825.00 to .51252 Employment & Training Counselors
\$ 4,254.00 from .51256 Emp & Trng Coordinator
\$ 825.00 to .54150 Office Supplies
\$ 860.00 from .54166 Postage
\$ 1,403.00 to .54199 Miscellaneous
\$ 164.00 to .54210 Gas
\$ 358.00 to .54200 Lights & Power
\$ 250.00 to .54230 Telephone
\$ 45.00 to .54240 Water
\$ 153.00 from .54300 Insurance
\$ 2,535.00 to .54407 Building Maintenance & Repair
\$ 1,200.00 to .54408 Copier Expense
\$ 1,318.00 to .54410 Conference
\$ 1,075.00 from .54414 Information Technology
\$ 2,145.00 to .54437 Lease
\$ 250.00 from .54456 Printing
\$ 298.00 from .54485 Travel
\$ 4,608.00 from .58100 Payments to NYS Retirement
\$ 1,027.00 to .58200 Payments to Social Security
\$11,869.00 to .58400 Hospitalization
\$ 128.00 to .58600 Disability
\$ 6.00 to .58901 Employee Assistance Program

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

RESOLUTION NO. 525-10: AUTHORIZATION TO AMEND 2010 COUNTY BUDGET FOR THE CONSOLIDATION OF WORKFORCE DEVELOPMENT CONTRACT WITH WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES TO ADMINISTER A WAGE SUBSIDY AND A ORIENTATION/ASSESSMENT PROGRAM FOR THE PERIOD JULY 1, 2010 to JUNE 30, 2011

Mrs. Crane presented the following:

WHEREAS, the Workforce Development Department has contracted with the Department of Social Services to administer a Wage Subsidy program and an Orientation/Assessment Program for the past several years; and

WHEREAS, with the shrinking resources provided by various federal and state funding sources for these vital programs it has been determined that consolidation of the programs will provide the greatest flexibility in reaching the goals of both programs; and

WHEREAS, Resolution No. 490-10 authorized the contracting for these programs and the funding now needs to be put in place to operate said programs; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to amend the 2010 county budget as follows:

A6217-WFD-DSS WAGE SUBSIDY:

\$61,895.00 to .42766 DSS Reimbursement
\$12,206.00 to .51088 E & T Director II

\$ 5,985.00 to .51123 Account Clerk-Typist
\$33,602.00 to .51252 Employment & Training Counselors
\$ 9,423.00 to .51256 Emp & Trng Coordinator
\$ 1,000.00 to .51300 Sr. Emp & Trng Counselor
\$39,817.00 from .54000 Contractual
\$ 248.00 to .54150 Office Supplies
\$ 200.00 to .54166 Postage
\$ 238.00 from .54199 Miscellaneous
\$ 122.00 to .54210 Gas
\$ 328.00 to .54200 Lights & Power
\$ 120.00 from .54230 Telephone
\$ 59.00 to .54240 Water
\$ 39.00 from .54300 Insurance
\$ 798.00 to .54407 Building Maintenance & Repair
\$ 150.00 from .54408 Copier Expense
\$ 1,500.00 to .54410 Conference
\$ 1,140.00 from .54414 Information Technology
\$ 1,518.00 to .54437 Lease
\$ 100.00 to .54456 Printing
\$ 92.00 from .54485 Travel
\$ 9,276.00 to .58100 Payments to NYS Retirement
\$ 8,769.00 to .58200 Payments to Social Security
\$18,191.00 to .58400 Hospitalization
\$ 166.00 to .58600 Disability

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

RESOLUTION NO. 526-10: REQUESTING AUTHORIZATION OF EXTENSION OF "PROJECT VETERAN RETURNS" GRANT FOR WORKFORCE DEVELOPMENT DEPARTMENT AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO EXECUTE REQUIRED DOCUMENTS

Mrs. Crane presented the following:

WHEREAS, Resolution No. 515-09 authorized the county to accept a grant entitled "Project Veterans Return";

And resolution No. 239-10 authorized an extension from March 31, 2010 to June 30, 2010; and

WHEREAS, this grant is scheduled to end June 30, 2010; and

WHEREAS, the Workforce Development Director has been informed that the County can apply for an extension through September 30, 2010; and

WHEREAS, sufficient grant funding is available to continue this service through September 30, 2010 without any contribution of funds by Wayne County; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby approves the extension of the "Project Veterans Return" Grant through September, 2010 and authorizes the Chairman of the Board of Supervisors to execute any documents required to affect such an extension, subject to the review and approval of the Wayne County Attorney.

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

RESOLUTION NO. 527-10: AUTHORIZATION TO CONTRACT FOR A COPIER MACHINE FOR THE WAYNE COUNTY WORKFORCE DEVELOPMENT OFFICE

Mrs. Crane presented the following:

WHEREAS, the Workforce Development Department has contracted with the Department of Social Services to provide intensive services and do not have a copier; and

WHEREAS, current copiers belong to the Department of Labor and are failing to provide for the needs of the additional services that are being undertaken by the Workforce

Development contract with the Department of Social Services; and
WHEREAS, Resolution No. 490-10 authorized the contracting for these programs and the funding is available to provide for this contract; now, therefore, be it
RESOLVED, that the County Board of Supervisors approve the contracting of a Copier for the Wayne County Workforce Development Office.
Mrs. Collier moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

AD-HOC – Building Relocation Committee

RESOLUTION NO. 528-10: AUTHORIZATION INCREASE MONITORING SERVICES AND AMEND H1925 CO. BLDG. RENOVATION PROJECT

Mr. Spickerman presented the following:

WHEREAS, Public Safety Building project Change Order numbers GC-11 and GC-12, were approved on June 15, 2010 for additional asbestos removals; and

WHEREAS, these abatements will require additional monitoring services to be provided and it is estimated these services may cost up to \$20,000 additional; now, therefore, be it

RESOLVED, that Lozier Environmental be approved to provide additional monitoring services associated with Change Orders GC-11 and GC-12 and the contract with Lozier Environmental be increased by \$20,000 to provide these services; and be it further

RESOLVED, that the County Treasurer is hereby authorized amend H1925 for 2010 as follows:

H1925-CO. BLDG. RENOVATIONS-ONH:

\$16,000 to .52810 Asbestos Monitoring

\$16,000 from .52818 Contingency

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

Mr. Plant requested that the Rule 15 Resolution regarding the County Interlock Plan be taken out of order and presented after the items scheduled under Other Business.

OTHER BUSINESS

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

RESOLUTION NO. 529-10: AUTHORIZATION TO CREATE A TEMPORARY RECEPTIONIST POSITION FOR WAYNE COUNTY PUBLIC HEALTH

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) has a need for temporary receptionist help from July 22, 2010 till September 3, 2010 due to staff being on Family Medical Leave; and

WHEREAS, WCPH has been unable to identify an employee who can perform receptionist tasks on a full time basis for this time frame; and

WHEREAS, there are sufficient funds in the Public Health budget for this temporary position without additional funding; now, therefore, be it

RESOLVED, the Board of Supervisors hereby authorizes the creation of a temporary receptionist position for Wayne County Public Health from July 22, 2010 until September 3, 2010 at a cost not to exceed \$3,086.10.

Salary - \$2,866.79

Soc Security - \$219.31

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

RESOLUTION NO. 530-10: AUTHORIZATION FOR WAYNE COUNTY NURSING HOME TO

RENT BOOTH SPACE AT THE 2010 WAYNE COUNTY FAIR

Ms. Park presented the following:

WHEREAS, Wayne County Nursing Home has budgeted for the cost of space and will be occupying a booth for the annual participation at the 2010 Wayne County Fair, August 9-14; and

WHEREAS, the cost for each booth space is \$165 and additional worker passes are \$5 each; now, therefore, be it

RESOLVED, that the Chairman of the Board is hereby authorized to execute a contract on behalf of the County of Wayne with the Union Agricultural Society at Palmyra for a booth rental space of \$165 including two (2) worker passes at a total cost not to exceed \$165.

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

Mr. Groat addressed the Board to say that he will not support this resolution due the fact that the County pays an annual appropriation to the Palmyra Union Agricultural Society (Wayne County Fair) and feels that county departments should not have to pay for booth rental spaces for participation at the Fair.

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

RESOLUTION NO. 531-10: RESOLUTION URGING NEW YORK STATE TO SIGNIFICANTLY CUT THE UNFUNDED MANDATES THAT CAUSE LOCAL PROPERTY TAX INCREASES BEFORE IMPOSING A CAP ON LOCAL PROPERTY TAXES

Mr. Hammond presented the following:

WHEREAS, Governor David Paterson and many State Legislators are supportive of a cap on local property tax levies of 4%, or 120% of inflation, whichever is less; and

WHEREAS, little or no action has been taken by New York State to decrease or control the costs of unfunded State mandates, which have been driving county property tax levels for decades; and

WHEREAS, without mandate reform, such a cap would be impossible because State mandates make up as much as 75 to 85 percent of a county budget, and these State costs increase substantially each year, well over the proposed 4% cap. Some examples:

- County payments to the NYS Retirement System are expected to rise 33% in 2011.
- The local cost of Medicaid rises 3% each year.
- The State continues to shift its costs to counties in the 2009-10 and 2010-11 State budgets.
- New York State currently owes Wayne County at least \$3.7 million, overdue for State services rendered by Wayne County.
- During the 2010 legislative session, the State shifted over \$100 million in costs to counties for delivering state services locally in child welfare and youth detention programs, representing yet another unfunded mandate.

WHEREAS, counties are mandated by the State to use local tax dollars to pay for State programs such as Medicaid, early intervention services, pre-school special education services, public assistance, child welfare, youth detention, jails and numerous other programs; and

WHEREAS, the property tax cap proposal does nothing to reduce or eliminate the current mandates; and

WHEREAS, the property tax cap proposal allows local boards to override the cap with a two-thirds majority vote, thereby not only shifting costs to local governments, but also unfairly shifting the burden to local leaders for tax increases that are actually caused by the State; and

WHEREAS, the Wayne County Board of Supervisors has, through responsible financial and budgetary actions and policies, stabilized and decreased property tax rates from \$9.51 to \$7.82 per thousand since 2005, and reduced the tax levy from \$39,419,042 to \$35,049,084 during the same period, despite the recession, and without the "benefit" of a State-imposed property tax cap.

NOW, THEREFORE, BE IT RESOLVED, that the Wayne County Board of Supervisors urges New York State not to impose a local property tax cap unless it is coupled with significant cuts to the State mandated programs that cause local property tax increases; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to Governor David Paterson, State Senator Michael Nozzolio, Assemblyman Robert Oaks, and the New York State Association of Counties.

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

Mr. Lauderdale addressed the Board to stress the importance of capping local property taxes.

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

RESOLUTION NO. 532-10: RESOLUTION DIRECTING THE WAYNE COUNTY DIRECTOR OF PROBATION AND CORRECTIONAL ALTERNATIVES TO NOT AMEND THE COUNTY INTERLOCK PLAN TO COMPLY WITH THE PROVISIONS OF THE CHILD PASSENGER SAFETY ACT, CHAPTER 496 OF THE LAWS OF 2009

Mr. Plant presented the following:

WHEREAS, each county in New York State was required to submit an Ignition Interlock Plan to New York State in order to prepare to implement the Child Passenger Safety Act, Chapter 496 of the Laws of 2009 also referred to as "Leandra's Law"; and

WHEREAS, it was represented that the law would be "no fiscal impact to the State"; and

WHEREAS, as part of the Interlock Plan the agency designated by Wayne County to be the Conditional Discharge Monitor for the Ignition Interlock devices that are required under this law is the New York State Police; and

WHEREAS, the Director of Probation and Correctional Alternatives has been informed that the plan that was submitted does not meet the requirements of the law as the New York State Police have indicated they will not monitor Interlock Devices; and

WHEREAS, the Director has been requested to submit an addendum to the plan that addresses the Conditional Discharge monitoring agency designation; and

WHEREAS, placing the Conditional Discharge monitoring responsibility within the Wayne County Department of Probation and Correctional Alternatives would require an additional staff person at an initial annual net cost of nearly \$50,000 to the property taxpayers of Wayne County; and

WHEREAS, the State of New York has continued to place additional unfunded mandates on Wayne County and upon all of the Counties within the State; and

WHEREAS, the Wayne County Board of Supervisors recognizes the positive intent of the law but cannot continue to burden the taxpayers of the county with expanded and unfunded mandates like the monitoring provisions of "Leandra's Law"; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby directs the Director of Probation and Correctional Alternatives to not amend the Wayne County Interlock Plan as he was requested to do so by the New York State Division of Criminal Justice Services; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to send a copy of this resolution to Governor David A. Paterson; United States Congressman Daniel Maffei; NYS Assembly Leader Sheldon Silver; Assemblyman Robert C. Oaks; NYS Senator Michael F. Nozzolio; United States Senator Charles Schumer; United States Senator Kirsten Gillibrand; the New York State Association of Counties and to forward electronic copies of this resolution to the appropriate Chief Executive Officer of each of New York States' Counties and all others deemed necessary and proper.

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

Mr. Plant addressed the Board to assert that he feels that counties should band together

and send a clear message that we are displeased for the imposed, unfunded mandates implemented by the state and federal authorities, putting the burden on the County.

Mr. Hoffman requested Assistant County Attorney Daniel Connors for his comments regarding an action suite against the State of New York regarding the County's fight against unfunded mandates proposed and implemented by the State.

Mr. Connors had made contact with other counties with similar concerns without a favorable outcome. His research shows that counties, being sub-divisions of the State, have no due course and protection in the eyes of the court; and that not every legal problem has a legal solution. Further, this is not a matter that can be settled in the court room as this is truly a political matter.

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

Mr. Lauderdale requested the Clerk to for a copy of the letter received, listed under Board Communications, from F. David Sheppard of the US Department of Homeland Security.

EXECUTIVE SESSION: At 9:40 a.m., Mrs. Collier moved, seconded by Mr. Manktelow, that the Board go into Executive Session to discuss Collective Negotiations pursuant to Article 14 of the Civil Service Law. Upon roll call, carried.

REGULAR SESSION: Mr. LeRoy moved, seconded by Mr. Lauderdale, that the Board resume regular session 10:08 a.m. Carried.

County Administrator Marquette requested to address the Board regarding information concerning the New York State and Local Government Early Retirement Incentive program. He informed the Board that the Part A Option would be the one possibly considered on a very limited bases. He emphasized that there are stringent requirements tied to this option involving the Board eliminating a position for every two employees that take this incentive.

Mr. Marquette indicated that a public hearing date will need to be set and authorized at the August 9th Board meeting; additionally, a special board meeting will need to be held for that public hearing for the adoption of the local law to be enacted before the state participation deadline of August 31.

ADJOURNMENT:

The next scheduled meeting of the Board will be held at the Wayne County Fair at the Palmyra fairgrounds on Monday, August 9, 2010 at 10:00 a.m. Ample seating will be available for members of the public and press to attend.

Board members were reminded of the scheduled ribbon cutting ceremony set for 1 p.m., and were invited to stop by to view the different booths, including the Board of Elections information booth for a demonstration of the new voting machine equipment that will be on display.

Sheriff Virts addressed the Board and commented that a command post will be set up for security to be fully staffed for the duration of the Fair festivities.

Mr. Miller moved, seconded by Ms. Park, that this meeting be adjourned at 10:15 a.m. Carried.

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