

17th Day
Tuesday, November 17, 2009
9:00 a.m.

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

The Pledge of Allegiance was led by Supervisor Fabino, followed by Chairman Hoffman giving the invocation.

Upon roll call, all Supervisors were present.

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

APPROVAL OF MINUTES:

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

SUMMARY OF CLAIMS BY COMMITTEE NO.

Committee No. 1 Finance

A13254	Treasurer	11,878.98
A13554	Assessment - Real Property Tax	19,484.36
A16804	Information Technology	21,972.87
A19104	Unallocated Insurance	86.13
A19304	Judgments & Claims	15,267.24
A24904	Community College	1,259,953.10
H19392	Route 31 Complex	16,753.04
		1,345,395.72

Committee No. 2 Public Safety

A11654	District Attorney	2,158.41
A11704	Public Defender	2,948.99
A11724	Legal Defense of Indigents	53,620.75
A11734	Wayne Pre-Trial Services, Inc.	9,219.92
A11854	Coroner	8,112.94
A11904	Grand Jury	1,009.57
A31104	Sheriff	8,658.23
A31114	Sheriff - Recreational Safety	222.67
A31124	Sheriff - Civil Office	100.00
A31134	Sheriff - Juvenile Office	801.25
A31142	Sheriff - Road Patrol	7,205.00
A31144	Sheriff - Road Patrol	3,488.63
A31154	Sheriff - Detective Unit	1,627.52
A31164	Sheriff - Court Security	500.00
A31402	Probation	7,816.80
A31404	Probation	6,645.12
A31504	Sheriff - Jail	235,045.65
A31704	Other Correctional Agencies	2,843.00
A33152	Stop DWI	6,528.56
A33154	Stop DWI	4,151.01
A34104	Mutual Aid (Fire Coordinator)	958.80
A36404	Emergency Management Office	6,121.81
A36424	E911 Communications	7,084.82
A36442	ALS Services	4,270.00

A36444	ALS Services	<u>10,659.05</u>
		391,798.50
Committee No.	3 Public Works	
A16154	Buildings & Grounds	37,586.94
A16404	Central Garage	8,690.73
A66104	Consumer Affairs (W&M)	198.73
A87304	Soil Conservation	13,215.46
D50104	Highway Administration	664.68
D50204	Highway Engineering	476.91
D51104	Maintenance of Roads & Bridges	31,608.25
D51122	Road Construction	331,464.80
DM51304	Road Machinery	86,646.80
H19252	Co Bldg Renovation-ONH	<u>30,048.07</u>
		540,601.37
Committee No.	4 Economic Development & Planning	
A64104	Publicity (Tourism)	3,673.22
A64114	Tourism Matching Funds Program	9,214.76
A80204	Planning Board	793.85
H19382	I.S.T.E.A. Project	<u>35,866.83</u>
		49,548.66
Committee No.	5 Government Operations	
A10104	Legislative Board	129.05
A10404	Clerk Legislative Board	156.97
A12304	County Administration	101.65
A14104	County Clerk	1,185.49
A14204	County Attorney	1,518.18
A14304	Human Resources	3,910.18
A14314	Cafeteria Plan	717.60
A14504	Board of Elections	66,271.05
A16704	Undistributed Meter Postage	15,000.00
A16714	Printing Department	2,111.29
MS17104	Administrative Fees	28,277.30
MS90554	Disability	4,187.50
S17104	Workers Comp	<u>23,344.38</u>
		146,910.64
Committee No.	6 Health & Medical Services	
A40104	Public Health	5,217.17
A40114	Public Health Service	16,657.37
A40164	PH - Early Intervention 0-1	107,842.81
A40174	PH - Child w/Spec Needs 3-5	463,105.69
A40184	Public Health Education	1,569.34
A40194	Wayne Community Nursing Care	28,691.59
A40204	PH - EMS Coordinator	1,244.65
A43004	Behavioral Health	109,376.23
A43224	Community Providers	92,338.00
E60004	NH Combined	<u>226,422.24</u>
		1,052,465.09
Committee No.	7 Human Services	
A60104	Administration	60,265.82
A60704	Purchase of Services	1,892.67
A61094	Family Assistance	80.00
A61404	Safety Net	400.00
A62114	Title V Senior Comm Service	43.85
A62124	WFD/DSS Intensive Employment	1,044.71

A62144	Economic Opportunity & Develop	362.72
A62164	WFD-DSS TEAP	40.88
A62174	WFD-DSS WAGE SUBSIDY	304.05
A62182	WFD-PROJECT VETERAN RETURN	90.93
A62184	WFD-PROJECT VETERAN RETURN	2,613.16
A62894	WIA YOUTH STIMULUS FUNDS	410.48
A62924	WFD-APY GRANT	123.20
A62934	WIA Adult	408.68
A62944	WIA Dislocated	1,071.50
A62954	WIA Youth	1,043.75
A62964	TANF Summer	837.28
A62994	WFD-Administration	40.88
A65104	Veteran Services	3,554.38
A67724	Area Agency on Aging	44,811.78
A73102	Youth Bureau	1,848.10
A73104	Youth Bureau	22,339.44
A73114	Youth Program - Recreation	<u>1,337.49</u>
		144,965.75

Warrant Total **3,671,685.73**

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

COMMUNICATIONS:

The Clerk read the following:

A letter was received from Eileen Teeter regarding the expense of her health care coverage that Wayne County provides. She is requesting for the County to look into more affordable health insurance for Wayne County's Retirees.

Copy of an adopted resolution was received from the Seneca County Board of Supervisors regarding reappointments to the Fingerlakes Workforce Investment Board.

A copy of a certified resolution was received from the Delaware County Board of Supervisors, entitled "Encouraging Immediate Relief for Dairy Farmers and Supporting Changes at the Federal Level Establishing the Price of Fluid Milk at the Farm Gate".

A copy of the August 12, 2009 minutes for the VA Medical Center Community Council Meeting was received.

A copy of the Western Finger Lakes Solid Waste Management Authority's September 21, 2009 Board Meeting minutes were received and filed.

A copy of a certified resolution was received from the Saratoga County Board of Supervisors, entitled "Urging New York State and all New York State Counties and Cities to adopt a policy that favors the purchase of Personal Computers that are powered by AMD Chips".

Mr. Plant moved, seconded by Ms. Park, that the Communications 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. 730-09: TAX REFUND – ERROR ON TAX ROLL

Mr. Lyon presented the following:

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

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

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

TOWN OF SODUS

2009 Tax Roll

Account No. 69117-07-582821

Assessed to: Paul & Mary Ann Riker

Total Tax Difference: \$ 110.16 Total County Tax Difference: \$ 95.34

Refund: \$ 110.16

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

RESOLUTION NO. 731-09: ACCEPTING BIDS FOR CERTAIN REAL PROPERTY PARCELS

Mr. Lyon 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 and the first or second bidders failed to complete their contract, resulting from the 2009 Tax Foreclosure Auction held on June 17, 2009; 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
Rose	71116-00-896077	Ellen Castiglione 5046 Preemption Road North Rose, New York	\$1.00
Village of Lyons Pearl Street	71111-09-006653	No Bids Received	

and be it further

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

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

RESOLUTION NO. 732-09: APPROVING APPLICATIONS FOR CORRECTED TAX ROLLS

Mr. Lyon presented the following:

WHEREAS, applications for correction of tax rolls in relation to parcels of property identified below have been

filed with the Director of Real Property Tax Services ("Director"); and
 WHEREAS, the 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.: 69118-17-245224
 Assessed to: Forrest Huff
 Corrected Total Tax: \$3.61

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

RESOLUTION NO. 733-09: ACCEPTING BIDS FOR CERTAIN REAL PROPERTY PARCELS

Mr. Lyon 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 and/or the first or second bidders failed to complete their contract, resulting from the 2009 Tax Foreclosure Auction held on June 17, 2009; and
 WHEREAS, the adjacent owner, bid submission deadline date of October 30, 2009 had passed and an adjacent owner called to inquire as to the possibility of bid submission consideration by the Finance Committee; and
 WHEREAS, the bidder, Lyons Youth Baseball & Softball, desires to acquire the real property parcel as listed below to have full access from Montezuma St. to their fields in the rear; and
 WHEREAS, a Bid Form, cover letter and check for the Bid amount has been received this date and the bidder is fully aware that the Board of Supervisor's has full discretion to reject any bid as presented now, therefore, be it
 RESOLVED, the Board of Supervisors has determined that it is in the best interest of the County to accept the bid set forth below and such bid is 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 this parcel, subject to the approval of the form by the County Attorney, and to affix the seal of the Board of Supervisors to such deed; 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
Village of Lyons 42 Montezuma St	71111-09-228614	Lyons Youth Baseball & Softball	\$100.00

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to return all funds deposited by those individuals whose bids were rejected.
 Mrs. Bender moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

RESOLUTION NO. 734-09: AUTHORIZATION TO ENTER INTO A LICENSE AGREEMENT WITH THE STATE OF NEW YORK, OFFICE FOR TEMPORARY AND DISABILITY ASSISTANCE

Mr. Lyon presented the following:

WHEREAS, County of Wayne entered into a license agreement with State of New York, Office for Temporary and Disability Assistance for the lease of 144square feet at the Health Services Building located at 1519 Nye Road which agreement expired on May 31, 2009; and

WHEREAS, said lease has continued on a month and month tendency subject to the same terms and conditions pending renewal thereof; and

WHEREAS, the parties to said agreement desire to renew said agreement for a further 2 year period commencing December 1, 2009 terminating December 31, 2011 with the same terms and conditions as set forth in the previous agreement, monthly rent to be \$223.02; 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 the State of New York, Office for Temporary and Disability Assistance for a period commencing December 1, 2009 and terminating December 31, 2011 at a monthly rent of \$223.02.

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

RESOLUTION NO. 735-09: AUTHORIZATION TO TRANSFER FUNDS FROM THE CONTINGENT ACCOUNT TO THE JUDGMENTS & CLAIMS ACCOUNT IN THE 2009 COUNTY BUDGET

Mr. Lyon presented the following:

WHEREAS the County had budgeted \$125,000.00 for 2009 for its Judgments and Claims account (A1930) from which legal fees and claims are paid; and

WHEREAS, the County added an additional \$50,000 in August to the Judgments and Claims account (A1930)

WHEREAS, the County has expended \$174,491.30 from this account through October 31, 2009; and

WHEREAS, the County Attorney believes that an additional \$35,000 will be required for the remainder of 2009; now, therefore be it

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

A1930-JUDGEMENTS & CLAIMS:

\$35,000.00 to .54000 Contractual Expenses

A1990-CONTINGENT FUND GEN:

\$35,000.00 from .54000 Contractual Expenses

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

RESOLUTION NO. 736-09: STATEMENT OF LEVY OF CHARGES FOR TOWN ACCOUNTS

Mr. Lyon presented the following:

WHEREAS, the County Treasurer has submitted a statement of accounts chargeable to the several towns of Wayne County; now, therefore, be it

RESOLVED, that the following accounts as shown on the statement of accounts are hereby levied on the 2010 tax rolls upon the taxable property of the respective towns liable for the payment of such accounts:

STATEMENT OF TOWN ACCOUNTS - NOVEMBER 1, 2008 THROUGH OCTOBER 31, 2009

Town of Arcadia

Worker's Compensation	41,634.00
Cablevision Franchise Tax	6,197.74
2009 Tax Roll Excess and Deficit	-0.55

Erroneous Taxes

Res #	Name	Year	Amount	
22-09	K Garnsey	2008 Tax Roll	56.83	
23-09	K Garnsey	2007 Tax Roll	53.38	
Per Court Order	Wachs	2009 Tax Roll		
	Development		674.53	
164-09	Y. Bartleson	2009 Tax Roll	207.02	
468-09	V & S Epstein	2007 Tax Roll	58.59	
	V & S Epstein	2008 Tax Roll	62.37	
	V & S Epstein	2009 Tax Roll	64.84	1,177.56
				<u>\$ 49,008.75</u>

Town of Butler

Worker's Compensation	8,259.00
2009 Tax Roll Excess and Deficit	.04
Erroneous Taxes	.00
<u>\$ 8,259.04</u>	

Town of Galen

Worker's Compensation	14,030.00
Cablevision Franchise Tax	1,213.44
2009 Tax Roll Excess and Deficit	.53
Erroneous Taxes	.00
<u>\$ 15,243.97</u>	

Town of Huron

Worker's Compensation	20,777.00
Cablevision Franchise Tax	1,435.21
2009 Tax Roll Excess and Deficit	-.83
Erroneous Taxes	

Res #	Name	Year	Amount	
22-09	J & D Salerno	2005 Tax Roll	24.75	
22-09	J & D Salerno	2006 Tax Roll	23.48	
22-09	J & D Salerno	2007 Tax Roll	23.91	72.14
				<u>\$ 22,283.52</u>

Town of Lyons

Worker's Compensation	20,112.00
Cablevision Franchise Tax	1,685.45
2009 Tax Roll Excess and Deficit	49.76
Erroneous Taxes	

Res #	Name	Year	Amount
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915-08	T Dutcher	2007 Tax Roll	51.72	
915-08	T Dutcher	2008 Tax Roll	51.43	103.15
				<u>\$ 21,950.36</u>

Town of Macedon

Worker's Compensation	(Paid 11/13)	266,130.00	0.00
Cablevision Franchise Tax			3,697.65
2009 Tax Roll Excess and Deficit			.08

Erroneous Taxes

Res #	Name	Year	Amount	
22-09	B & C Spinosa	2006 Tax Roll	532.06	
164-09	J McCluskey	2009 Tax Roll	18.85	
164-09	B Orr	2009 Tax Roll	122.65	
164-09	J Moody	2009 Tax Roll	7.84	
178-09	L & L Pratt	2009 Tax Roll	38.80	720.20
				<u>\$ 4,417.93</u>

Town of Macedon

Worker's Compensation		266,130.00
Cablevision Franchise Tax		3,697.65
2009 Tax Roll Excess and Deficit		.08

Erroneous Taxes

Res #	Name	Year	Amount	
22-09	B & C Spinosa	2006 Tax Roll	532.06	
164-09	J McCluskey	2009 Tax Roll	18.85	
164-09	B Orr	2009 Tax Roll	122.65	
164-09	J Moody	2009 Tax Roll	7.84	
178-09	L & L Pratt	2009 Tax Roll	38.80	720.20
				<u>\$ 270,547.93</u>

Town of Marion

Worker's Compensation		25,099.00
Cablevision Franchise Tax		2,665.13
2009 Tax Roll Excess and Deficit		6.20

Erroneous Taxes

Res #	Name	Year	Amount	
915-08	D Copp (Paid)	2007 Tax Roll	553.08	
177-09	ME Cook (Paid)	2009 Tax Roll	621.50	0.00

\$ 27,770.33

Town of Ontario

Worker's Compensation 116,600.00
Cablevision Franchise Tax 3,217.24
2009 Tax Roll Excess and Deficit .43
Erroneous Taxes

Res #	Name	Year	Amount	
164-09	Town of Ontario J & K	2009 Tax Roll	12.58	
176-09	Hollingsworth	2009 Tax Roll	242.41	254.99

\$ 120,072.66

Town of Palmyra

Worker's Compensation 38,087.00
Cablevision Franchise Tax 3,714.96
2009 Tax Roll Excess and Deficit .20
Erroneous Taxes .00

\$ 41,802.16

Town of Rose

Worker's Compensation 14,906.00
Cablevision Franchise Tax 372.32
2009 Tax Roll Excess and Deficit .38
Erroneous Taxes .00

\$ 15,278.70

Town of Savannah

Worker's Compensation 10,494.00
Cablevision Franchise Tax 232.14
2009 Tax Roll Excess and Deficit .22
Erroneous Taxes

Res #	Name	Year	Amount	
177-09	Nicoletta Associates	2009 Tax Roll	1,520.21	1,520.21

\$ 12,246.57

Town of Sodus

Worker's Compensation 57,679.00
Cablevision Franchise Tax 2,527.15
2009 Tax Roll Excess and Deficit .07
Erroneous Taxes

Res #	Name	Year	Amount
164-09	Sodus Bay Yacht Club	2009 Tax Roll	319.02
164-09	D Wigent	2009 Tax Roll	620.66
177-09	G Reithel	2009 Tax Roll	68.81
177-09	DJ & J Eaton	2009 Tax Roll	270.00
177-09	M & J McBride	2009 Tax Roll	270.00
177-09	Windsong Mountain II LLC	2009 Tax Roll	2,430.00
177-09	K Zornow	2009 Tax Roll	270.00
			4,248.49
			<u>\$ 64,454.71</u>

Town of Walworth

Worker's Compensation	53,060.00
Cablevision Expense	2,748.90
2009 Tax Roll Excess and Deficit	-1.00
Erroneous Taxes	.00
<u>\$ 55,807.90</u>	

Town of Williamson

Worker's Compensation	42,537.00
Cablevision Franchise Tax	4,333.73
2009 Tax Roll Excess and Deficit	-5.91
Erroneous Taxes	.00
Paid in Full	\$46,864.82
<u>\$ 0.00</u>	

Town of Wolcott

Worker's Compensation	16,130.00
Cablevision Franchise Tax	1,439.17
2009 Tax Roll Excess and Deficit	-.30
Erroneous Taxes	

Res #	Name	Year	Amount
468-09	B Riley	2009 Tax Roll	70.65
			70.65
			<u>\$ 17,639.52</u>

Grand Total **\$ 476,236.12**

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

RESOLUTION NO. 737-09: ADOPTING MORTGAGE TAX REPORT AND AUTHORIZING COUNTY TREASURER TO MAKE PAYMENT TO TOWNS AND VILLAGES

Mr. Lyon presented the following:

WHEREAS, the Finance Committee of the Wayne County Board of Supervisors has filed a report showing the mortgage tax monies received by the Wayne County Treasurer during April 1, 2009 to September 30, 2009, and recommend payment to the Villages and Towns as apportioned in such report as follows:

TOWN	TOWN SHARE	VILLAGE	VILLAGE SHARE	TOTAL
Arcadia	55,789.12	Newark	24,135.22	79,924.34
Butler	5,171.91	Wolcott	339.51	5,511.42
Galen	9,809.23	Clyde	2,347.29	12,156.52
Huron	27,064.62		0.00	27,064.62
Lyons	13,867.55	Lyons	5,711.00	19,578.55
Macedon	110,046.08	Macedon	7,910.84	117,956.92
Marion	31,525.86		0.00	31,525.86
Ontario	126,431.67		0.00	126,431.67
Palmyra	33,592.40	Palmyra	7,876.37	41,468.77
Rose	8,649.93		0.00	8,649.93
Savannah	3,811.40		0.00	3,811.40
Sodus	46,362.70	Sodus	3,334.59	
		Sodus Pt.	7,407.17	57,104.46
Walworth	117,416.35		0.00	117,416.35
Williamson	60,100.87		0.00	60,100.87
Wolcott	14,985.96	Wolcott	717.29	
		Red Creek	1,834.19	17,537.44
TOTAL	664,625.64		61,613.48	726,239.12

now, therefore, be it

RESOLVED, that the Mortgage Tax Report submitted by the Finance Committee is hereby accepted, the recommendation for payments to the Villages and Towns contained in such report is hereby adopted, and the County Treasurer is hereby authorized and directed to make such payments pursuant to the report.

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

RESOLUTION NO. 738-09: AUTHORIZATION TO AMEND 2009 BUDGET BY REALLOCATING FUNDS FROM THE TRANSFER TO RESERVE FUND ACCOUNT TO THE CONTINGENCY ACCOUNT

Mr. Lyon presented the following:

WHEREAS, the adopted 2009 County Budget included \$750,000.00 appropriated to the Transfer to Reserve Fund-Tax Stabilization account to increase the balance in this account from \$1,606,611.91 to \$2,356,611.91 by December 31, 2009; and

WHEREAS, upon review of the restrictions for the use of the Reserve for Tax Stabilization, it has been determined that in this current economic climate, the \$1,606,611.91 is a sufficient balance to have in the reserve, and the \$750,000.00 appropriated for 2009 be

transferred to the Contingent Account in the General Fund now, therefore be it
RESOLVED, that the County Treasurer is hereby directed to amend the County Budget
as follows:

A1990-CONTINGENT FUND GEN

\$750,000.00 to .54000 Contractual Expense

A9962-TRANSFER TO RESERVE FUND

\$750,000.00 from .59703 Tax Stabilization

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

**RESOLUTION NO. 739-09: RESOLUTION OF SUPPORT FOR WESTERN REGIONAL OFF-
TRACK BETTING CORPORATION**

Mr. Lyon presented the following:

WHEREAS, New York State and its municipalities, including the County of Wayne, are
facing substantial financial and budgetary challenges brought on by the current recession; and

WHEREAS, the Western Regional Off-Track Betting Corporation ("WESTERN") has in its
34 years of existence distributed substantial sums to its statutory beneficiaries in pursuit of its
charge by the state legislature to support New York racing and provide reasonable revenues
for state and local government:

- ✓ \$321 million in commissions paid to race tracks in New York; and
- ✓ \$203 million to its participating municipalities; and
- ✓ \$93 million to the State of New York; and
- ✓ \$34 million to the Breeders' Fund; and
- ✓ \$57 million to the New York State Lottery since May, 2005; and

WHEREAS, Western provides over 600 full and part-time jobs for the community at its
branches and the Batavia Downs complex while contributing additional millions in indirect
revenue to agribusinesses in western New York; and

WHEREAS, Wayne County is a participating owner of Western, having invested \$18,648
in 1974 and, not only having seen that original amount returned, with interest of \$1,265, on
May 30, 1975, but realized shareholder dividends since investing in Western of \$4,047,866 in
the form of operating and surcharge profits through 2008; and

WHEREAS, Wayne County utilizes its profits from Western to help offset property tax
impacts; and

WHEREAS, Western is a public benefit corporation created by statute in 1974 that is
unique in off-track betting corporations in that it not only operates a retail branch business with
over 30 branches facilities spread over its 15 county area but also owns and operates Batavia
Downs racetrack with live racing, inter-track wagering, and since 2005, video lottery gaming;
and

WHEREAS, the governor has appointed a commission, "The Task Force on the Future of
Off-Track Betting in New York State", to investigate and make recommendations as to the
efficiency of these regional corporations and consider their consolidation under one authority;
and

WHEREAS, the state law that created this Task Force obligates it to consult with, among
others, local governments regarding its review; and

WHEREAS, it is imperative that Wayne County continue to receive not only the annual
revenues generated by Western but maintain its ownership interest in Western's real property,
that represents our county's reinvestment in Western, and that has been professionally
appraised at over Fifty Eight Million (\$58,000,000) Dollars, of which Wayne County's
shareholder interest is 3.36% or, in excess of \$1.9 million; and

WHEREAS, because of this ownership interest, counties and municipalities who are
participating members in Western are interested in any recommendation by the Task Force
which may affect the structure of Off-Track Betting and horse racing in New York State; and

WHEREAS, any negative impact on the financial and operational relationship that Wayne

County has with Western Regional Off-Track Betting Corporation would negatively effect Wayne County; and

NOW, THEREFORE, BE IT RESOLVED, that Wayne County supports Western Regional Off-Track Betting Corporation and its continued efforts to increase revenue for its participating members; and

BE IT FURTHER RESOLVED, that Wayne County, can not support any recommendation by the Task Force on the Future of Off-Track Betting or the State of New York that would change the current structure of Off-Track Betting in New York State and put in jeopardy the financial and operational relationship between Wayne County and Western Regional Off-Track Betting Corporation; and

BE IT FURTHER RESOLVED, that Wayne County supports and will continue to support the legislative efforts of Western to see enacted the proposed 2009 OTB Omnibus Bill Legislation to preserve and protect the financial integrity of Western by changing the current statutes that govern the operation and distribution of revenues of Western; and

BE IT FURTHER RESOLVED, that Wayne County's stake in the future of horseracing and Off-Track Betting Corporations in New York State be protected; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be delivered our locally elected state representatives urging them to support the county's position on this matter.

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

RESOLUTION NO. 740-09: RECOVERY ZONE DESIGNATION RESOLUTION DATED NOVEMBER 17, 2009

Mr. Lyon presented the following:

WHEREAS, the American Recovery and Reinvestment Act of 2009 ("ARRA") authorizes the County to issue recovery zone economic development bonds in an amount up to \$942,000 pursuant to a suballocation of the national volume cap for Recovery Zone Bonds provided by the federal Treasury Department; and

WHEREAS, recovery zone economic development bonds are entitled to a direct federal subsidy of 45% of the interest thereon; and

WHEREAS, the County is required to designate a recovery zone prior to issuing such bonds; and

WHEREAS, any such bonds must be for expenditures for property located within the recovery zone or otherwise promote economic activity therein; and

WHEREAS, the term recovery zone is defined to mean (1) any area designated by the County as having significant poverty, unemployment, rate of home foreclosures, or general distress; (2) any area designated by the County as economically distressed by reason of the closure or realignment of a military installation pursuant to the Defense Base Closure and Realignment Act of 1990; and (3) any area for which a designation as an empowerment zone or renewal community is in effect as of February 17, 2009; and

WHEREAS, it is now desired to designate the County of Wayne as a recovery zone under ARRA; now, therefore, be it

RESOLVED, by the affirmative vote of the Board of Supervisors of the County of Wayne, New York, as follows:

Section 1. The County of Wayne is hereby designated as a recovery zone for purposes of ARRA as a result of significant unemployment, home foreclosure rates and general distress as the current recession has had and continues to have a significant adverse impact on the County as a whole.

Section 2. This resolution takes effect immediately.

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

RESOLUTION NO. 741-09: AUTHORIZATION TO PAY INSURANCE PREMIUM TO

HAYLOR, FREYER AND COON, INC. AND TRANSFER FUNDS

Mr. Lyon presented the following:

WHEREAS, the Nursing Home Renovation Project has necessitated moving new voting machines from storage at the Old Nursing Home to an off site location; and

WHEREAS, further Inland Marine Insurance coverage is necessary to provide insurance protection for said new voting machines; and

WHEREAS, Wayne County has received a quote from Haylor, Freyer and Coon, Inc. for said Commercial Inland Marine Insurance in the amount of One Thousand Seven Hundred Ninety and 00/100 (\$1,790.00) for the County of Wayne for the period of November 10, 2009 – November 9, 2010; now, therefore, be it

RESOLVED, that the Clerk of the Board is hereby authorized to make payment to Haylor, Freyer & Coon, Inc. in the amounts of One Thousand Seven Hundred Ninety and 00/100 (\$1,790.00) for the Commercial Inland Marine from Account A1910.4300 upon adoption of this resolution; and further

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

A1910-UNALLOCATED INSURANCE:

\$500.00 to .41295 Department Insurance Reimbursements

\$1,500.67 to .54300 Insurance

\$1,000.67 from .54353 Insurance Consultant

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

Mrs. Collier addressed the Board to take certain resolutions out of the order from the listed agenda as the Board's actions could affect the 2010 Tentative Budget.

Mrs. Collier gave a brief presentation of the resolutions regarding fringe benefits for managerial, elected officials and certain appointed employees.

RESOLUTION NO. 742-09: I - TRANSMITTAL TITLE: AUTHORIZATION TO AMEND RESOLUTION NO. 92-76 ENTITLED "FRINGE BENEFITS FOR MANAGERIAL, ELECTED OFFICIALS AND THEIR DEPUTIES, UNDERSHERIFF, TEMPORARY AND LESS THAN FULL TIME EMPLOYEES" AS AMENDED BY RESOLUTION NO. 784-89 AS AMENDED BY RESOLUTION NO. 518-93

Mrs. Collier presented the following:

WHEREAS, the County will pay the full cost of Health Insurance coverage during retirement for a person holding the position of Supervisor on April 30, 1976 provided 1. Such person is in the employ of the County at the date of retirement, 2. Such person shall have been in the continuous employ of the County for at least ten consecutive years prior to the date of retirement, 3. Such person is a member of the Health Insurance Plan at the date of retirement; and

WHEREAS, the County wishes to discontinue this policy and replace it with a more cost effective Health Insurance policy regarding said retired Supervisors; now therefore be it

RESOLVED, that paragraph 4 of the section of said resolution entitled "Health Insurance" is amended to read as follows:

The County shall pay full cost of Health Insurance coverage during retirement for a person holding any of the following positions on April 30, 1976, provided,

- a. such person is in the employ of the county at the date of retirement
- b. such person shall have been in the continuous employ of the County for at least ten consecutive years prior to the date of retirement; and
- c. such person was a member of the Health Insurance Plan at the date of retirement:
District Attorney and his assistants
Public Defender and his assistants
County Coroner
Assistant County Attorney

Election Commissioners
Nursing Home Physician
Full time Managerial (Heads of Departments)
Elected Officials and their Deputies, and
The Undersheriff

The Health Insurance payments by the County for any person appointed or elected to any of the above positions after April 30, 1976 shall cease upon termination of employment with the County.

The County commencing February 1, 2010 shall pay the full cost of a Medicare Supplemental Policy offered to County employees for Supervisors during retirement holding said position on April 30, 1976 provided,

- a. such person is in the employ of the county at the date of retirement
- b. such person shall have been in the continuous employ of the County for at least ten consecutive years prior to the date of retirement; and
- c. such person was a member of the Health Insurance Plan at the date of retirement.

Mr. Lauderdale moved the adoption of the resolution. Seconded by Ms. Park. Upon roll call, all Supervisors voted Aye, except Supervisors Fabino and Hammond who voted Nay. The Chairman declared the Resolution adopted.

RESOLUTION NO. 743-09: AUTHORIZATION TO AMEND RESOLUTION NO. 948-01 ENTITLED "AUTHORIZING HEALTH INSURANCE REIMBURSEMENT" (DEFEATED)

Mrs. Collier presented the following:

WHEREAS, Resolution No. 948-01 entitled "Authorizing Health Insurance Reimbursement" states as follows:

"WHEREAS, Part-time elected and appointed officials not subject to collective bargaining agreements are eligible to participate in the Wayne County "County" Health Care Plan with 50% of the cost of the benefit paid for by the County; and

WHEREAS, it may be in the best interest of the individual to remain enrolled in a non-county sponsored plan fully paid for by the individual; and

WHEREAS, the Board of Supervisors has determined that said part-time elected officials are to be excluded from said resolution; now, therefore be it

RESOLVED, that effective January 1, 2002, the County agrees to reimburse individuals in this situation 50% of the cost of the health insurance plan in which he/she is enrolled or 50% of the cost of comparable County sponsored plan, whichever is less, contingent upon submission of a properly executed voucher; and be it further

RESOLVED, that this benefit shall cease when the individual vacates his/her position with the County of Wayne".

and

WHEREAS, the Board of Supervisors has determined regarding said resolution that part-time elected officials are to be excluded from said resolution; now, therefore, be it

RESOLVED, that Resolution No. 948-01 is hereby amended to read as follows:

"WHEREAS, part-time appointed officials not subject to collective bargaining agreements are eligible to participate in the Wayne County "County" Health Care Plan with 50% of the cost of the benefit paid for by the County; and

WHEREAS, it may be in the best interest of the individual to remain enrolled in a non-county sponsored plan fully paid for by the individual; now, therefore be it

RESOLVED, that effective January 1, 2010, the County agrees to reimburse individuals in this situation 50% of the cost of the health insurance plan in which he/she is enrolled or 50% of the cost of comparable County sponsored plan, whichever is less, contingent upon submission of a properly executed voucher; and be it further

RESOLVED, that this benefit shall cease when the individual vacates his/her position with the County of Wayne".

Several discussions took place and questions were raised regarding the proposed changes in this resolution.

County Attorney Wyner noted that a final "RESOLVED" clause that was originally intended for this resolution was erroneously omitted and needs to be added.

RECESS:

The Chairman called for a 15 minute recess of the Board at 9:30 a.m. for corrections to be made to the resolution on the floor.

REGULAR SESSION:

The Board resumed regular session at 9:45 a.m.

Chairman Hoffman welcomed Mr. Thomas Crowley and the Newark Government Class to today's Board Meeting.

The Clerk distributed a corrected version of the resolution on the floor and the following "RESOLVED" clause was added:

; and be it further

RESOLVED, that members of the Wayne County Board of Supervisors are specifically excluded from the policy set forth in this resolution."

Mr. Lyon made a motion to table the resolution. Seconded by Mr. Plant. Upon roll call, all Supervisors voted Nay except Supervisors Hammond, Lyon, Collier and Plant who voted Aye. The Chairman declared the motion to table defeated.

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

RESOLUTION NO. 744-09: II - AUTHORIZATION TO AMEND RESOLUTION NO. 92-76 ENTITLED "FRINGE BENEFITS FOR MANAGERIAL, ELECTED OFFICIALS AND THEIR DEPUTIES, UNDERSHERIFF, TEMPORARY AND LESS THAN FULL TIME EMPLOYEES" AS AMENDED BY RESOLUTION NO. 784-89 AS AMENDED BY RESOLUTION NO. 518-93 (TABLED)

Mrs. Collier presented the following:

WHEREAS, pursuant to resolution No. 92-76 entitled "Fringe Benefits for Managerial, Elected Officials and their Deputies, Undersheriff, Temporary and less than Full Time Employees" as amended by Resolution No. 784-89 as amended by Resolution No. 518-93 the County shall pay 50% of the cost of health insurance coverage for a Supervisor who is elected after April 30, 1976; and

WHEREAS, the Board of Supervisors desire to amend this policy; now, therefore, be it RESOLVED, that Paragraph 2 of said resolution entitled "Health Insurance" is amended to read as follows:

The County shall pay the full cost of Health Insurance coverage for a person who holds any of the following positions on April 30, 1976, and fifty percent of the cost of such coverage for a person who is appointed or elected to any such position after April 30, 1976:

District Attorney and his assistants

Public Defender and his assistants

County Coroner

Assistant County Attorney

Election Commissioners

Nursing Home Physician

Commencing February 1, 2010 the County will pay 50% of the cost of health insurance for a

Supervisor elected to such position after April 30, 1976 provided that said Supervisor is enrolled in the County Health Insurance Plan or the Medicare Supplemental Insurance Plan offered by the County. A Supervisor or member of the Supervisor's Plan must enroll in the Medicare Supplemental Insurance Plan upon becoming eligible for Medicare benefits to be eligible for said 50% premium reimbursement.

Mrs. Collier moved, seconded by Mr. Lauderdale, to amend the last paragraph as follows:

"Commencing February 1, 2010 the County will pay 50% of the cost of health insurance for a Supervisor elected to such position after April 30, 1976 provided that said Supervisor is enrolled in the County Health Insurance Plan or the Medicare Supplemental Insurance Plan offered by the County. A Supervisor or member of the Supervisor's Plan must enroll in the Medicare Supplemental Insurance Plan when legally eligible to do so upon becoming eligible for Medicare benefits to be eligible for said 50% premium reimbursement".

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

Discussions took place and questions were raised regarding eligibility for Medicare at age 65 and how it related to this proposed resolution.

Several Supervisors commented that they would not support any proposed amendment to resolutions without researching the original resolutions that were adopted prior.

Mr. Kelsch made a motion to table the resolution. Seconded by Mr. Plant. Upon roll call, all Supervisors voted Aye except Supervisors Colacino, Spickerman, Fabino and Park who voted Nay. The Chairman declared the Resolution tabled.

RESOLUTION NO. 745-09: ADOPTING 2010 SALARY SCHEDULE FOR THE BOARD OF SUPERVISORS AND THE CHAIRMAN OF THE BOARD

Mrs. Collier presented the following:

WHEREAS, the County of Wayne needs to establish a salary for the members of the Board and the Chairman of the Board of Supervisors for 2010; and

WHEREAS the Budget Officers has appropriated the funds listed below for 2010; now, therefore be it

RESOLVED, that the Board of Supervisors hereby adopts the following salary schedule for the Board of Supervisors for the year 2010:

Supervisors	\$ 15,095
Chairman of the Board	\$ 20,338

Mr. Plant moved, seconded by Mr. Groat, to amend the resolution to add a 3 percent raise to the salaries of the Supervisors.

There was discussion regarding the proposed schedule reflecting the same salary as last year with no raise budgeted.

A few Supervisors felt that the rate should remain the same as proposed.

Upon roll call to amend the resolution, all Supervisors voted Nay, except Supervisors Groat, Crane, Bender, LeRoy and Plant who voted Aye. The Chairman declared the motion to amend defeated.

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

Prior to presentation Mr. Marquette gave a brief presentation of the 2010 Tentative Budget.

RESOLUTION NO. 746-09: AUTHORIZATION TO ACCEPT THE 2010 WAYNE COUNTY TENTATIVE BUDGET

Mr. Lyon presented the following:

WHEREAS, the Budget Officer presented the Clerk of the Board with a 2010 Tentative Wayne County Budget on November 15, 2009; and

WHEREAS, the Budget Officer presented a tentative budget for the fiscal year beginning January 1, 2010 to the Board of Supervisors; and

WHEREAS, the budget was presented and no corrections or amendments were made; now, therefore be it

RESOLVED, that the Board of Supervisors hereby accepts the 2010 Tentative County Budget as presented.

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

RESOLUTION NO. 747-09: AUTHORIZATION TO ESTABLISH A DATE FOR PUBLIC HEARING ON THE 2010 WAYNE COUNTY TENTATIVE BUDGET

Mr. Lyon presented the following:

WHEREAS, the tentative budget for the County of Wayne for the fiscal year beginning January 1, 2010, has been presented to the Board of Supervisors; now therefore be it

RESOLVED, pursuant to Section 359 of the County Law of the State of New York as follows:

Section 1. A public hearing on the tentative budget shall be held in the Supervisors' Chambers at the County Court House, 26 Church Street, Lyons, New York, on Tuesday, December 1, 2009 at 7:00 p.m. Copies of the tentative budget on which the public hearing will be held are available in the Clerk of the Board of Supervisors' office and may be inspected or procured therein by any interested person during business hours.

Section 2. At least five (5) days notice of such hearing shall be given by the Clerk of the Board of Supervisors by posting such notice on the bulletin board in the County Court House and by publication of such notice in the official newspapers of the County.

Section 3. The notice of public hearing shall include a statement of maximum salary that may be fixed and payable during said fiscal year to the members of the Board of Supervisors and the Chairman, respectively.

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

RESOLUTION NO. 748-09: AUTHORIZING PAYMENT FOR TOWN OF SODUS

Mr. Lyon presented the following:

WHEREAS, on November 3, 2009 the Town of Sodus ALS vehicle while operated by an Advanced Life Support County employee was returning from a call when it struck a deer; and

WHEREAS, the County is contractually liable for reimbursing the Town for any damage to said vehicle while being operated by County employees; and

WHEREAS, said vehicle was damaged in the amount of Eight Three and 50/100 (\$83.50); now, therefore, be it

RESOLVED, that the Wayne the County Treasurer is hereby authorized and directed to issue a check made payable to Town of Sodus in the amount of Eighty Three and 50/100 dollars, (\$83.50); from Account No. A1930 (Judgment and Claims), as directed by the Wayne County Attorney.

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

RESOLUTION NO. 749-09: AUTHORIZATION TO PAY INVOICE FOR EMERGENCY

PURCHASE OF RADIO SYSTEM AT WAYNE COUNTY JAIL AND TRANSFER FUNDS

Mrs. Bender presented the following:

WHEREAS, the Wayne County Office of Sheriff received permission for the emergency purchase of a Radio System needed for safety reasons at the Wayne County Jail from Chairman James Hoffman and County Administrator James Marquette; and

RESOLVED, that the Sheriff is hereby authorized and directed to pay invoice in the amount of \$6,323.23 to Finger Lakes Communications for the purchase of said equipment and the current balance of the equipment line item is \$3,386.90 for the partial payment of invoice; and be it further

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to make the following transfers for the remaining amount for payment of this invoice.

A3114 – ROAD PATROL:

\$2,936.33 from .52300 Motor Vehicles

A3150 – SHERIFF JAIL

\$2,936.33 TO .52500 Other Equipment

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

RESOLUTION NO. 750-09: AUTHORIZATION TO PAY ACCRUED LEAVE FOR COUNTY EMPLOYEE

Mrs. Bender presented the following:

WHEREAS, upon voluntary severance from the County where a prior Twenty (20) calendar notice has been given by the employee to County in writing, the employee shall be entitled to unused annual leave due at the time of severance; and

WHEREAS, Barry Virts has resigned from his position of Chief Deputy and given a Fourteen (14) day notice of his voluntary severance; and

WHEREAS, Mr. Virts has requested that the Wayne County Board of Supervisors waive the said Twenty (20) day notice requirement; and

WHEREAS, Sheriff Piscioti has recommended that Mr. Virts request be considered and approved by the Board of Supervisors; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors upon due consideration of Mr. Virts work record, his use of annual leave time and the circumstances regarding his resignation, hereby waive the said Twenty (20) day notification requirement and directs that Mr. Virts be reimbursed for his accrued annual leave credits upon leaving County employment.

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

RESOLUTION NO. 751-09: AUTHORIZATION MODIFY BUDGET FOR THE PAYMENT FROM WAYNE COUNTY JAIL REVENUE ACCOUNT TO OFFSET PURCHASE OF CCTV SYSTEM PREVIOUSLY APPROVED FOR PURCHASE IN RESOLUTION NO. 448-09

Mrs. Bender presented the following:

WHEREAS, the Wayne County Office of Sheriff received permission for the purchase and installation of a closed circuit television system from Securitronics of Syracuse for the Wayne County Jail in Resolution No. 448-09; now, therefore, be it

RESOLVED, that the Wayne County Jail Revenue Account is responsible for partial payment of the project in the amount of \$92,954.00; and be it further

RESOLVED, that the Wayne County Sheriff is hereby authorized to accept payment from the Wayne County Inmate Revenue Account in the amount of \$92,954.00; and be it further

RESOLVED, that the Wayne County Sheriff shall apply said funds to the Jail Revenue Account A 31500 .42770 Miscellaneous Revenue for the cost of this project.

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

RESOLUTION NO. 752-09: AUTHORIZATION FOR THE DISTRICT ATTORNEY TO AMEND

BUDGET

Mrs. Bender presented the following:

WHEREAS, the District Attorney has paid witness travel fees and doctors fees for grand jury in excess of the budgeted amount, and

WHEREAS, the District Attorney needs extra funds to pay anticipated witness travel fees and doctor fees, stenographer fees and transcript fees for the remainder of 2009 grand jury presentments; now, therefore, be it

RESOLVED, that the District Attorney is authorized to amend his 2009 budget as follows:

A1190 – Grand Jury:

\$15,000 to .54500 fees for services

A1990-Contingent Fund Gen:

\$15,000.00 from .54000 Contractual Expense

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

RESOLUTION NO. 753-09: AUTHORIZATION FOR THE DISTRICT ATTORNEY TO AMEND BUDGET

Mrs. Bender presented the following:

WHEREAS, the District Attorney has paid extraditions, fees for doctors, witness travel and will be paying witness travel fees and doctors fees for jury trials in excess of the budgeted amount; and

WHEREAS, the District Attorney needs extra funds to pay anticipated witness travel fees and doctor fees for November and December 2009 jury trials; now, therefore, be it

RESOLVED, that the District Attorney is authorized to amend his 2009 budget as follows:

A1165 – District Attorney:

\$1,000.00 from .54210 Gas

\$2,000.00 from .54330 Light & Power

\$7,500.00 to .54500 Fees for services

\$ 7,500.00 to .54485 Travel

A1990-Contingent Fund Gen:

\$12,000.00 from .54000 Contractual Expense

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

RESOLUTION NO. 754-09: AUTHORIZATION TO PURCHASE MOBILE COMPUTING SOFTWARE FOR E-911 COMMUNICATIONS

Mrs. Bender presented the following:

WHEREAS, PST Technologies, Inc., the contracted vendor who supplied the mobile computing software used by all law enforcement agencies in Wayne County, now offers a software module that would allow system users having high speed portable internet connectivity, access to the 911 mobile computing system, and

WHEREAS, based on previous requests for this functionality from the police agencies in the county, the funding for this module was included in the 2009 State Homeland Security Program (SHSP) grant application submitted by the Emergency Management Office and subsequently granted; now, therefore, be it

RESOLVED, that the 911 Coordinator shall be authorized to purchase the dynamic IP interface module from PST Technologies, Inc. specified in PST Technologies quotation number Q090930-01, at a cost not to exceed \$7500.00, and be it further

RESOLVED, that payment for this upgrade shall be authorized from SHSP funds, account number A3640.52203-Homeland Security-Equipment.

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

adopted.

RESOLUTION NO. 755-09: AUTHORIZATION TO ADVERTISE FOR BIDS FOR COMMUNICATIONS INFRASTRUCTURE

Mrs. Bender presented the following: Brief Explanation:

WHEREAS, one of the key components of the County's public safety radio communications upgrade will involve the infrastructure upgrade project, to include replacement of transmitters, the addition of receive equipment at five new remote receiver sites, and connectivity equipment to transmit the radio signals back from the five receive sites to the existing primary infrastructure, and

WHEREAS, it is anticipated that a portion of the cost for this infrastructure upgrade shall be funded through the PSIC (Public Safety Interoperable Communications) grant program, now, therefore, be it

RESOLVED, that, in association with the radio communications interoperability project, the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for bids for the communications infrastructure, which shall include:

- Procurement, installation and testing of various transmitters at the County's primary infrastructure sites
- Procurement, installation and testing of equipment necessary for simulcasting of radio transmissions
- Procurement, installation and testing of equipment necessary to add five remote receiver sites, and to link such sites to the primary infrastructure sites

and be it further

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

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

RESOLUTION NO. 756-09: AUTHORIZATION TO FUND EMS TRAINING CLASS USING MYERS TWIG TRUST FUNDS

Mrs. Bender presented the following:

WHEREAS, the Myers Hospital TWIG trust was established in an effort assist with funding to further emergency medical service continuing education in the county; and

WHEREAS, the following continuing medical education class is proposed:

Pediatric Education for Prehospital Professionals (PEPP)

November 21, 22, 2009

Ontario Volunteer Emergency Squad

6132 Furnace Rd.

Ontario, NY

now, therefore, be it

RESOLVED, that payment of a presenter's fee of \$125, using Myers TWIG trust funds, shall be authorized for the Ontario Volunteer Emergency Squad, upon completion of the aforementioned continuing education training class, and submission of an invoice by the sponsoring organization.

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

RESOLUTION NO. 757-09: AUTHORIZATION TO PURCHASE EQUIPMENT FOR WAYNE COUNTY EMERGENCY MANAGEMENT

Mrs. Bender presented the following:

WHEREAS, the State of New York has increased the license fee to Nuclear Facilities resulting in unanticipated additional revenues of \$167,400 to Wayne County, said revenues directed to Emergency Management by Article 2B of NYS Executive Law, to improve

Emergency Management Operations, and

WHEREAS, the newly created Planner/Trainer position is need of certain equipment to efficiently and effectively meet the associated job requirements, and

WHEREAS, the Training Officer's Chair is worn out and failing

WHEREAS, this equipment will move into the new EOC, when completed, now, therefore, be it

RESOLVED that Wayne County Emergency Management is authorized to purchase off state contract the following equipment:

Desktop Computer	\$710
Bookcase	\$177
2 Drawer Filing Cabinet	\$134
Office Chair (2)	\$197 (each)

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

A3640-EMERGENCY MANAGEMENT OFFICE:

\$1,415 to .43306 Nuclear Facility Support

\$ 705 to .52200 Office Equipment

\$ 710 to .52201 Computer Equipment

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

RESOLUTION NO. 758-09: AUTHORIZATION TO ACTIVATE A VOICEMAIL ACCOUNT FOR THE EMERGENCY MANAGEMENT OFFICE

Mrs. Bender presented the following:

WHEREAS, the newly created Planner/Trainer position is need of certain technologies to efficiently and effectively meet their associated job requirements; and

WHEREAS, the Planner/Trainer position will involve periods of being away from their desk for long periods of time; now, therefore, be it

RESOLVED, that a voicemail account be placed on the Planner/Trainer phone line at the cost of \$2.50 per month, totaling no more than \$5 for 2009.

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

RESOLUTION NO. 759-09: AUTHORIZATION TO EXPEND GRANT FUNDS AND PURCHASE EQUIPMENT AND SUPPLIES FOR WAYNE COUNTY EMERGENCY MANAGEMENT

Mrs. Bender presented the following:

WHEREAS, Resolution No. 33-09 authorized the acceptance of grant funds and the execution of a contract with NYS Homeland Security; and

WHEREAS, the equipment listed as follows was approved by NYS as acceptable use of the grant funding; and

WHEREAS, this equipment is necessary for operational readiness to respond to a radiological event and for storage of said equipment; and

WHEREAS, this equipment will move into the new EOC, when completed; now, therefore, be it

RESOLVED that Wayne County Emergency Management is authorized to purchase the following equipment:

Storage Cabinets	(4)	\$350 (each)
Storage Rack		\$280
36" Print Storage Rack	(3)	\$110 (each)
Radiation Meters	(5)	\$760 (each)
Radiation Probe	(5)	\$495 (each)
Field Survey Kit	(5)	\$515 (each)
Table PC	(2)	\$1,322 (each)

and be it further

RESOLVED that Wayne County Emergency Management is authorized to purchase the following supplies:

Safety Vests	(14)	\$ 16 (each)
Storage Box w/ Lid	(32)	\$ 29 (each)

and be it further

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

A3640-EMERGENCY MANAGEMENT OFFICE:

\$14,656 to .44306 Homeland Security

\$ 10,860 to .52200 Office Equipment

\$ 2,644 to .52201 Computer Equipment

\$ 1,152 to .54126 Field Supplies

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

RESOLUTION NO. 760-09: AUTHORIZATION TO ENTER INTO THE NYS OFFICE OF HOMELAND SECURITY 2009 HAZ-MAT GRANT PROGRAM

Mrs. Bender presented the following:

WHEREAS, Seneca County will be the submitting partner and Wayne, Ontario and Yates will be participating counties; and

WHEREAS, the purpose of this request is to reduce significant risk posed to our communities by large-scale flammable or combustible liquid emergencies; and

WHEREAS, this grant will promote further development of regional partnership among the counties that provide Haz-Mat response; and

WHEREAS, this grant focuses on the purchase of a response ready foam trailer to mitigate hazardous materials incidents should they occur at a critical infrastructure or key resource location within each county; and

WHEREAS, this grant will also be used for required training on the equipment purchased; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to sign any documentation necessary to execute Wayne County as a participating partner in this grant and be it known, that no county monies will be expended.

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

RESOLUTION NO. 761-09: AUTHORIZATION TO TRANSFER FUNDS FROM THE WAYNE COUNTY CONTINGENCY FUND TO THE PUBLIC DEFENDER'S 2009 BUDGET

Mrs. Bender presented the following:

WHEREAS, the Wayne County Public Defender's Office has received billing for Unemployment Insurance coverage for the period of July 1, 2009 – September 30, 2009, in the sum of \$ 6,319.41 from the Wayne County Human Resources Department; and

WHEREAS, there are zero funds remaining in Unemployment Insurance account number 58500 of the Public Defender's 2009 budget; and

WHEREAS, authorization is hereby requested by the Wayne County Public Defender's Office to receive funding from the Wayne County Contingency Fund for payment of the third quarter unemployment insurance bill in the sum of \$ 6,319.41; now, therefore, be it

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

A1170-PUBLIC DEFENDER:

\$6,319.41 to .58500 Unemployment

A1990-CONTINGENT FUND GEN:

\$6,319.41 from .54000 Contractual Expense

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

call, adopted.

RESOLUTION NO. 762-09: AUTHORIZATION TO APPROVE CHANGE ORDERS FOR THE RENOVATION PROJECT FOR THE FORMER NURSING HOME

Mr. LeRoy presented the following:

WHEREAS, plans to renovate and reuse the former Wayne County Nursing Home (County Building #6) have been developed; and

WHEREAS, the Board of Supervisors has approved the necessary funding and authorized the bidding process to commence; and

WHEREAS, bids will be opened and awarded during the month of November; and

WHEREAS, it is anticipated that the project will begin in January 2010; and

WHEREAS, every effort will be made to avoid change orders on the project, but it is likely some will be necessary; now therefore be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the Relocation Committee to approve individual change orders up to \$10,000 each upon the recommendation of the County Administrator and Buildings and Grounds Superintendent on the renovation project referenced herein; and be it further

RESOLVED, that the County Administrator and Buildings and Grounds Superintendent shall present a monthly record of any changes orders that have been approved to the Board of Supervisors; and be it further

RESOLVED, that any change order in excess of \$10,000 each must be approved in advance by the Board of Supervisors.

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

RESOLUTION NO. 763-09: AUTHORIZATION TO ADVERTISE FOR BID(S) FOR TREE REMOVAL FOR THE HIGHWAY DEPARTMENT

Mr. LeRoy presented the following:

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to advertise for bid(s) for tree removal, in accordance with specifications prepared by the Highway Superintendent and subject to the County Attorney's approval as to form and content; and be it further

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

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

RESOLUTION NO. 764-09: AUTHORIZATION TO ADVERTISE FOR BID(S) FOR STUMP GRINDING FOR THE HIGHWAY DEPARTMENT

Mr. LeRoy presented the following:

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to advertise for bid(s) for stump grinding, in accordance with specifications prepared by the Highway Superintendent and subject to the County Attorney's approval as to form and content; and be it further

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

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

RESOLUTION NO. 765-09: AUTHORIZATION TO ADVERTISE FOR BIDS FOR HIGHWAY

MATERIALS FOR THE COUNTY OF WAYNE AND MUNICIPAL HIGHWAY DEPARTMENTS

Mr. LeRoy presented the following:

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for bids for construction and maintenance material for the County of Wayne and municipal highway departments in the fiscal year 2010. Material will include, but not be limited to: bituminous materials (liquid), bituminous pre-mixed stockpile patching, bituminous slurry seal, fiber reinforced bituminous membrane surface treat, paver chip seal, hot in place asphalt recycling, in place recycling types I, II, III, bituminous concrete plant mix, cold mix bituminous pavement (open & dense grade), miscellaneous cold milling, calcium chloride, steel sign post, aluminum sign blanks, guide rail, guide rail posts and accessories, snow and ice control sand, timber materials, crushed stone, road striping paint, equipment rental/services and asphalt paving with operators in accordance with specifications prepared by the Wayne County Highway Superintendent and approved by the County Attorney as to content and form; and be it further

RESOLVED, that the County Highway Superintendent is hereby designated and directed to publicly open the bid(s) at the time and place specified in the bid documents and to present a record of the bids(s) at the next meeting of the Public Works Committee following the bid opening; and be it further

RESOLVED, that the bid specifications shall provide that any municipal highway department purchasing materials pursuant to the bid shall be solely responsible for the audit and inspection of such materials and for any payments due the vendor.

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

RESOLUTION NO. 766-09: AUTHORIZING COUNTY/TOWN CONTRACTS FOR SNOW AND ICE CONTROL ON WAYNE COUNTY HIGHWAYS

Mrs. Collier presented the following:

WHEREAS, Wayne County is proposing to enter into an agreement with the towns for snow and ice services for the 2009-2010 season; and

WHEREAS, the reimbursements will be based on actual time and material expended by each town and a per trip cost will be negotiated with each town based on their expenses and the application rates/ratios, and

WHEREAS, the towns will be required to keep a log of trips that will be submitted to the county for reimbursement on a monthly basis; now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute County/Town contracts for snow and ice control on County Highway during the 2009-2010 winter season, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 767-09: AUTHORIZATION TO TRANSFER A WAYNE AREA TRANSIT SERVICE VAN TO THE HIGHWAY DEPARTMENT AND DECLARE SURPLUS

Mr. LeRoy presented the following:

WHEREAS, Wayne Area Transit Service (WATS) has a 1998 Ford Van (VIN No. 1FBNE31F2WHC13803) no longer in use and would like to transfer bus to the Wayne County Highway Department; and

WHEREAS, Central Garage has evaluated the van for serviceability and was deemed unserviceable; now, therefore, be it

RESOLVED, that the following Van be accepted by the County from WATS and declared surplus and said van be disposed of in accordance with the Surplus Vehicle Disposition Procedure outlined in Resolution No. 128-09 and revenue to be deposited in D9999 42770.

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

RESOLUTION NO. 768-09: AUTHORIZATION TO ACCEPT LOW BID FOR THE CHRISTIAN HOLLER BRIDGE DECK REPLACEMENT STIMULUS PROJECT

Mr. LeRoy presented the following:

WHEREAS, this project is funded with 100% Federal Stimulus Funds (ARRA); and

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for bids for the bridge replacement of the Christian Holler Road Bridge Deck Replacement Project (D51122.52920) for the County Highway Department, and the bids were opened on Tuesday, October 13, 2009 at 1:30 p.m. and the following bids were received:

Silverline Construction Inc.	\$175,730.00
Wind-Sun Construction, Inc.	\$178,790.20
Economy Paving Co., Inc.	\$196,440.00
Barber Construction	\$197,826.05
Crane-Hogan	\$199,942.00
Slate Hill Constructors, Inc.	\$217,772.40
C.P. Ward Inc.	\$241,622.00

now, therefore, be it

RESOLVED, that the bid submitted by Silverline Construction Inc. of Burdett, New York, in accordance with the specification, is hereby accepted in the amount not to exceed \$175,730.00 subject to New York State Department of Transportation approval; and be it further

RESOLVED, that the Chairman of the Wayne County board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, Subject to the County Attorney's approval as to form and content with Silverline Construction Inc. in accordance with the bid acceptance.

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

RESOLUTION NO. 769-09: AUTHORIZATION TO PURCHASE AUTOMATED EXTERNAL DEFIBRILLATORS

Mr. LeRoy presented the following:

WHEREAS, Physio-Control, Inc. has provided pricing for six (6) Automated External Defibrillators and six (6) Wall Mount Cabinets; and

WHEREAS, Physio-Control, inc. has provided pricing based on the NYS Contract Award #PC63997; now, therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to purchase six (6) Automated External Defibrillators and six (6) Wall Mount Cabinets at a total cost of \$13,687.20 to be paid from A16152.52500; and be it further

RESOLVED, that the Treasurer is hereby authorized to transfer the following funds:

A1615-BUILDINGS AND GROUNDS:

\$13,687.20 to .52500 Other equipment

\$13,687.20 from .54210 Gas

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

RESOLUTION NO. 770-09: AUTHORIZATION TO PURCHASE PLAYGROUND POLY BORDER TIMBERS

Mr. LeRoy presented the following:

WHEREAS, RE Woodson, Inc. has provided pricing for 880 linear feet of poly border timbers, and 7 rolls of playground base fabric; and

WHEREAS, RE Woodson, Inc. has provided pricing from NYS Contract #PC62102; now, therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to purchase 880 linear feet of poly border timbers, and 7 rolls of playground base fabric at a total

price of \$10,025.00 to be paid from A16152.54407.

Supervisor LeRoy addressed the Board prior to presentation of Res. No. 770-09, to have Mr. David C. Sloane, Superintendent of Buildings and Grounds, discuss the details of the proposed state bid purchase of poly border timber and base fabric for playgrounds located in Wayne County Parks.

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

RESOLUTION NO. 771-09: RESOLUTION ACCEPTING FUNDING AND AUTHORIZING AGREEMENTS FOR HISTORIC REHABILITATION PROJECT

Mr. Spickerman presented the following:

WHEREAS, the Hotchkiss facility located at the corner of Leach Road and Water Street has been deemed a historic landmark and the County of Wayne has received notification of commitment of funding to restore and/or improve the facility from the New York State Canal Corporation; the New York State Environmental Protection Fund; the New York State Department of Transportation; and the National Park Service; and

WHEREAS, the County of Wayne is interested in having another entity own, maintain and manage the facility following the restoration and/or improvements being completed to the degree that the funding noted above will allow and in such a way as priority items allowing the facility to be used as a tourism destination and interpretation site are completed within the funding limits; now, therefore, be it

RESOLVED, that the County of Wayne hereby authorizes the execution of contracts with the funding agencies contingent upon legally binding commitment for formal acceptance of the property by the Village of Lyons; Town of Lyons; or the Village and Town of Lyons through an inter municipal agreement, be made on or before January 15, 2010, between the two municipalities; and be it further

RESOLVED, that the County Attorney is authorized to develop an agreement in conjunction with the formal acceptance document from the Village and/or Town that outlines and binds the oversight of the construction project, the transfer of the property and the conservation easements required with the funding; and be it further

RESOLVED, that the County, after transfer of the property, will have no financial or grant writing responsibility for the property and that responsibility for meeting requirements of funding agreements becomes the responsibility of the new owners along with any benefits acquired through the property.

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

RESOLUTION NO. 772-09: AUTHORIZATION TO ACCEPT PROPOSAL FROM COBURN DESIGN FOR THE 2010 VISITOR GUIDE

Mr. Spickerman presented the following:

WHEREAS, the Office of Wayne County Tourism has budgeted for the 2010 Visitor Guides and the Director of Tourism has obtained a proposal for updating the existing design that is needed; now, therefore, be it

RESOLVED, that the proposal submitted by Coburn Design, 238 Genesee Street, Auburn, NY 13021 for Design of 2010 Wayne County Visitor's Guide, at a total cost of \$3,800 is hereby approved.

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

RESOLUTION NO. 773-09: AUTHORIZATION TO ADVERTISE FOR BIDS TO PRINT 2010 WAYNE COUNTY VISITOR GUIDES

Mr. Spickerman presented the following:

WHEREAS, the Wayne County Office of Tourism will need to obtain printing services for the 2010 Wayne County Visitor Guides; now, therefore, be it

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for bids for printing of the 2010 Wayne County Visitor Guides in accordance with specifications prepared by the Director of Tourism and Publicity and approved by the County Attorney as to content and form; and be it further

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

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

RESOLUTION NO. 774-09: AUTHORIZATION TO EXECUTE AGREEMENT WITH THE WAYNE COUNTY SNOWMOBILE CLUBS

Mr. Spickerman presented the following:

WHEREAS, Wayne County is the Local Sponsor for the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) Snowmobile Trails Grant-In-Aid Program; and

WHEREAS, snowmobiling has expanded the capacity of recreational trails to include winter use; and

WHEREAS, Wayne County and area snowmobile clubs have participated in the OPRHP snowmobile grant program, using grant money and volunteer labor to improve and extend trails for snowmobile use; and

WHEREAS, Wayne County has approximately 3000 registered snowmobiles, at least five organized clubs and a regional council; and

WHEREAS, County Resolutions 239-06 and 515-07 authorized previous agreements with the Snowmobile Clubs; and

WHEREAS, the size of the snowmobile trail program has caused the Planning Department to recommend formalizing the County's relationship with the snowmobile clubs to establish, among other things, expectations and schedules for the timely submission of required documentation to the State for snowmobile trail reimbursement; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to execute an agreement between the County of Wayne and each snowmobile club interested in applying to OPRHP for snowmobile trails funding in Wayne County, subject to approval as to form and content by the County Attorney.

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

RESOLUTION NO. 775-09: AUTHORIZE AGREEMENT WITH WILLIAMSON DRIFTRIDERS FOR WALLINGTON TO SODUS POINT TRAIL

Mr. Spickerman presented the following:

WHEREAS, Resolution 611-06 authorized an agreement with the Williamson Driftriders Snowmobile Club, which will expire on December 31, 2009, and

WHEREAS, the Williamson Driftriders Snowmobile Club has indicated a willingness to continue to provide volunteers and make improvements, including the installation of signs, to the abandoned Wallington to Sodus Point rail line trail; and

WHEREAS, the NYS Office of Parks, Recreation and Historic Preservation snowmobile grant in aid program includes this trail as part of the NY State Snowmobile program; and

WHEREAS, the County of Wayne authorizes the non-motorized use of this trail, except that the trail may be used in the winter by snowmobiles; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to sign a new agreement with the Williamson Driftriders Snowmobile Club for improvements to the above referenced trail, effective January 1, 2010 and expiring on December 31, 2011, subject to approval as to form and content by the County Attorney.

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

call, adopted.

RESOLUTION NO. 776-09: AUTHORIZE AGREEMENT WITH THE RED CREEK LAKESHORE SNOW DEVILS SNOWMOBILE CLUB FOR THE WOLCOTT TO RED CREEK HOJACK SNOWMOBILE TRAIL

Mr. Spickerman presented the following:

WHEREAS, Resolution 513-07 authorized an agreement with the Red Creek Lakeshore Snow Devils Snowmobile Club, which will expire on December 31, 2009; and

WHEREAS, the Red Creek Lakeshore Snow Devils Snowmobile Club has expressed a willingness to continue to provide volunteers and make improvements, including the installation of signs, to the old abandoned Hojack Line trail between the Villages of Wolcott and Red Creek in the Town of Wolcott; and

WHEREAS, the NYS Office of Parks, Recreation and Historic Preservation snowmobile grant in aid program includes this trail as part of the NY State Snowmobile program; and

WHEREAS, the County of Wayne has executed a trail license with RG&E for use of this section of abandoned railroad as a public trail and the County has authorized the use of this trail by snowmobiles in accordance with Resolutions 835-01 and 339-06 and 513-07; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to sign a new agreement with the Red Creek Lakeshore Snow Devils Snowmobile Club for maintaining and improving the above referenced trail, effective January 1, 2010 and expiring on December 31, 2011, subject to approval as to form and content by the County Attorney.

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

RESOLUTION NO. 777-09: AUTHORIZE PURCHASE OF NEW CHAIR FOR PLANNING DEPARTMENT

Mr. Spickerman presented the following:

WHEREAS, the chair used by the Planning Director has broken and is effectively irreparable; and

WHEREAS, there are funds within the current budget total sufficient to fund this purchase; now, therefore, be it

RESOLVED, that the Planning Director may purchase a new chair in an amount not to exceed \$199.65; and be it further

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

A8020 – PLANNING BOARD

\$200 to .52200 Office Equipment

\$200 from .54600 Miscellaneous

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

RESOLUTION NO. 778-09: AUTHORIZING PURCHASE OF USED OFFICE FURNITURE FOR BOARD OF ELECTIONS

Mrs. Collier presented the following:

WHEREAS, the only furniture currently located in the Board of Elections Service Center located in the basement of the old Nursing Home was obtained from the leftovers of the county's sale of surplus property; and

WHEREAS, additional furniture is needed to carry out the functions of the Service Center; and

WHEREAS, the Board of Elections Service Center is in the process of being relocated to a new site while the old Nursing Home Campus is being renovated; and said site contains furniture that would meet the needs of the Service Center at the temporary site and also when moved back to the old Nursing Home; and

WHEREAS, the aforementioned furniture consists of a desk-work station and two tables and two chairs and are available for purchase, \$300 for the desk-work station and \$300 for the two tables and four chairs; and

WHEREAS, line A1450 - 52100 – Furniture & Furnishings currently is at zero (.00) balance; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to transfer \$600.00 in funds from Account No. A14504.54150 Office Supplies with a balance of \$753.00 to Account No. A14502.52100 Furniture & Furnishings with a balance of \$0 to cover such cost; and be it further

RESOLVED, that the Wayne County Board of Elections is hereby authorized to purchase said items for use in its Service Center.

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

RESOLUTION NO. 779-09: AUTHORIZING NEGOTIATIONS WITH WAYNE COUNTY SHERIFF'S COURT OFFICERS' ASSOCIATION

Mrs. Collier presented the following:

WHEREAS, Wayne County's contract with the Wayne County Sheriff's Court Officers' Association expires on December 31, 2009; and

WHEREAS, the Association has indicated to the County that it desires to commence negotiations for a successor agreement; and

WHEREAS, Wayne County desires to negotiate an agreement; now, therefore, be it

RESOLVED, that Wayne County will commence negotiations with the Wayne County Sheriff's Court Officers' Association; and be it further

RESOLVED, that the Chairman of the Board is hereby authorized to appoint four members of the Board, the County Administrator, the Fiscal Manager, the County Attorney, and the Wayne County Sheriff or his representative to be members of the County's negotiating team; and be it further

RESOLVED, that Human Resources Director Charles Dye is the Lead Negotiator for the County.

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

RESOLUTION NO. 780-09: AUTHORIZE THE PREPARATION AND EXECUTION OF AN EQUIPMENT GENERAL MAINTENANCE AGREEMENT (CONTRACT) FOR (1) CANON MP90 MICROFILM READER AND PRINTING SYSTEMS WITH BIEL'S INFORMATION TECHNOLOGY SYSTEMS

Mrs. Collier presented the following:

WHEREAS, the Office of the County Historian has just purchased a Canon MP90 microfilm reader and printing systems; and

WHEREAS this system will require servicing and maintenance through a contract with Biel's Information Technology Systems; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with Biel's Information Technology Systems at a cost not to exceed \$375.00 from Account No. A75104.54424.

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

RESOLUTION NO. 781-09: AUTHORIZATION TO RECOGNIZE AND GRANT THE 2009 TAYLOR – KANE AWARD

Mrs. Collier presented the following:

WHEREAS, Marjory Allen Perez has contributed significant written social history to the Office of the County Historian during 2009; and

WHEREAS, Marjory Allen Perez located the diary of Lewis F. Allen in the County Archive and the matching diary of Marion E. Hoag in a private family collection in California; and WHEREAS, Marjory Allen Perez transcribed both diaries over a period of 10 years and matched day to day entries for these two people as they approached their **Courtship Years 1897-1899** and has donated a copy of her completed work to the Office of the Historian; now, therefore, be it

RESOLVED, that Marjory Allen Perez is hereby recognized as the recipient of the 2009 Taylor – Kane Award; and be it further

RESOLVED, that the Wayne County Treasurer is hereby authorized to make an award in the amount of \$200 to the Taylor – Kane Award recipient.

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

RESOLUTION NO. 782-09: AUTHORIZATION FOR THE WAYNE COUNTY NURSING HOME TO CONTRACT WITH COMFORCE NURSE STAFFING SERVICES

Ms. Park presented the following:

WHEREAS, the COMFORCE Nurse Staffing Services currently provides Registered Nurses at a cost of \$46.90 per hour (same rate as 2009); and

WHEREAS, the Wayne County Nursing Home wishes to renew said contract to obtain registered nursing coverage as needed to cover vacancies; and

WHEREAS, the said contract of services would be effective January 1, 2010 to December 31, 2010; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute the agreement with the COMFORCE Nurse Staffing Services for the provision of licensed staff effective January 1, 2010 at a cost of \$46.90. Agreement is subject to the County Attorney's approval as to form and content, and approval of the 2010 budget.

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

RESOLUTION NO. 783-09: AUTHORIZATION TO SET DAILY RATE INCREASE AT THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, due to increase in overhead expenses, the Wayne County Nursing Home must increase the room rate; now, therefore, be it

RESOLVED, Authorize the Administrator of the Wayne County Nursing Home to increase the daily rate effective January 1, 2010 (inclusive of cash receipts assessment tax):

Semi-Private Room from \$275 to \$300

Private Room from \$285 to \$310

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

RESOLUTION NO. 784-09: AUTHORIZE THE CONTRACT FOR PHYSICIAN SERVICES WITH ROCHESTER MEDICAL GROUP

Ms. Park presented the following:

WHEREAS, the Wayne County Nursing Home desires to renew the agreement for the provision of physician services with Rochester Medical Group effective January 1, 2010 – December 31, 2010; and

WHEREAS, there will be no cost to the Wayne County Nursing Home as Rochester Medical Group will bill directly for physician services; now therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute the agreement with Rochester Medical Group for the period January 1, 2010 – December 31, 2010, at no cost to the County or the Nursing Home, subject to the County Attorney's approval as to form and content, and approval of the 2010 budget.

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

call, adopted.

RESOLUTION NO. 785-09: AUTHORIZING CONTRACT FOR PODIATRY SERVICES FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the contract between the County of Wayne and Dr. Douglas Ring, DPM, a Licensed Podiatrist, for provision of podiatry services expires on December 31, 2009; and

WHEREAS, the Wayne County Nursing Home prefers to renew said contract for the period of January 1, 2010 - December 31, 2010 for a fee of \$23.00 per resident visit. (Fee for 2009 was \$22); now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute the agreement with Dr. Douglas Ring, DPM, for provision of podiatry services effective January 1, 2010 at \$23 per resident visit. Agreement is subject to the County Attorney's approval as to form and content, and approval of the 2010 budget.

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

RESOLUTION NO. 786-09: AUTHORIZING CONTRACT RENEWAL FOR MAINTENANCE OF CABLE SERVICES FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the current contract with Time Warner Cable Inc. expires November 17, 2009; and

WHEREAS, the residents benefit from cable services; and

WHEREAS, the Wayne County Nursing Home wishes to renew said contract effective November 18, 2009; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to renew the contract effective November 18, 2009 for five (5) years at a fee of \$11.36 per unit for the first year and thereafter such increases shall not exceed 5% during the calendar year; and be it further

RESOLVED, that the agreement is subject to the County Attorney's approval as to form and content, and approval of the 2010 budget.

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

RESOLUTION NO. 787-09: AUTHORIZING THE WAYNE COUNTY NURSING HOME TO CONTRACT WITH NURSEFINDERS

Ms. Park presented the following:

WHEREAS, the contract between the County of Wayne and Nursefinders, Canandaigua, New York for Registered Nurse and or Licensed Practical Nurse coverage expires on December 31, 2009 and;

WHEREAS, the Wayne County Nursing Home wishes to renew said contract for the period of January 1, 2010– December 31, 2010 at a rate of \$49.50/hour for RNs and \$39.50/hour for LPNs (same rates as 2009); now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute the agreement with Nursefinders effective January 1, 2010 to December 31, 2010 at a rate of \$49.50/hour for RNs and \$39.50/hour for LPNs subject to the County Attorney's approval as to form and content, and approval of the 2010 budget.

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

RESOLUTION NO. 788-09: AUTHORIZING CONTRACT FOR SOCIAL WORK SERVICES FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the contract between the County of Wayne and Maria Gigliotti, a certified Social Worker, for the provision of social work services expires on December 31, 2009; and

WHEREAS, the Wayne County Nursing Home would like to renew said contract for the provision of Social Work Consultant services for the period of January 1, 2010 - December 31, 2010 for a fee of \$51.50 per hour (same rate as 2009); now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute the agreement with Maria Gigliotti effective January 1, 2010 for a fee of \$51.50 subject to the County Attorney's approval as to form and content, and approval of the 2010 budget.

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

RESOLUTION NO. 789-09: AUTHORIZATION TO CONTRACT WITH REIMBURSEMENT CONSULTANT

Ms. Park presented the following:

WHEREAS, Terry Cotton, 1235 Hunters Run, Victor, NY 14564 has provided technical advice regarding nursing home reimbursement; and

WHEREAS, services will be needed through the end of the contract to analyze reimbursement methodology changes implemented by State and Federal agencies; and

WHEREAS, these services include assistance in preparations of rate appeals; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisor's be authorized and directed to execute an agreement to the contract on behalf of the Wayne County Nursing Home for the period January 1, 2010 – December 31, 2010 at a cost not to exceed \$17,500 calculated at \$100.00 per hour plus out of pocket expenses. Agreement is subject to the County Attorney's approval as to form and content, and approval of the 2010 budget.

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

RESOLUTION NO. 790-09: AUTHORIZATION TO EXECUTE AN AGREEMENT BETWEEN MEDASSETS SUPPLY CHAIN SYSTEMS, LLC, AMERICAN ASSOCIATION OF HOMES AND SERVICES FOR THE AGING (AAHSA), AND THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, MedAssets provides group purchasing programs to healthcare providers; and

WHEREAS, MedAssets has entered into an affiliation agreement with AAHSA to make the program available to members; and

WHEREAS, the Wayne County Nursing Home is a member of AAHSA; and

WHEREAS Wayne County Nursing Home wishes to access MedAssets' portfolio of vendor contracts for the procurement of supplies, services, and equipment; and

WHEREAS, the nursing home wishes to enter into an agreement with MedAssets Supply Chain Systems, LLC, for the period of one year effective December 1, 2009 and shall be automatically renewed for successive one-year periods at no cost; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute the contract with Med Assets Supply Chain Systems, LLC, American Association of Homes and Services for the Aging, effective December 1, 2009 at no cost and it shall be renewed automatically for successive one-year periods. Agreement is subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 791-09: AUTHORIZATION TO AMEND 2009 PUBLIC HEALTH SERVICES BUDGET

Ms. Park presented the following:

WHEREAS, Homeland Security Funding is available to support emergency preparedness activities; and

WHEREAS, nursing supplies and emergency supplies are needed to assist with National Stockpile Initiatives; now, therefore, be it

RESOLVED, that the 2009 budget is amended as follows:

Increase by \$23,800 40114.54793 BIO Bioterrorism
Increase by \$23,800 40110.44638 Bioterrorism Revenue

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

RESOLUTION NO. 792-09: AUTHORIZATION TO CONTRACT FOR HOMELAND SECURITY FUNDING

Ms. Park presented the following:

WHEREAS, the Public Health department will receive \$48,686 to support homeland security program activities established for health departments for period 8/10/09 – 8/9/10; and

WHEREAS, a work plan and budget must be submitted for approval prior to contract execution; now, therefore, be it

RESOLVED, that the Public health Director is hereby authorized and directed to submit the work plan and budget; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute the Homeland Security contract with the Office of Homeland Security for period 8/10/09 – 8/9/10 at an amount not to exceed \$48,686.00.

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

RESOLUTION NO. 793-09: AUTHORIZATION TO SIGN MEMORANDUM OF UNDERSTANDING WITH THE AMERICAN RED CROSS

Ms. Park presented the following:

WHEREAS, the American Red Cross wishes to have a memorandum of understanding (MOU) with Wayne County Public Health to assist with preparing for and responding to certain disaster situations; and

WHEREAS, the MOU is effective as of October 6, 2009 till June 30, 2014; now, therefore, be it

RESOLVED, the Chairman of the Board of supervisors is hereby authorized to sign the Memorandum of Understanding with the American Red Cross, effective October 6, 2009 till June 30, 2014, subject to the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 794-09: AUTHORIZATION TO AMEND RES. 506-09 TO CONTRACT WITH WAYNE FINGER LAKES BOCES FOR TRANSPORTATION

Ms. Park presented the following:

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

WHEREAS, the Williamson Central School District has a new student as of October 15, 2009 will be attending the Roosevelt Pre-K Program at the Roosevelt Children's Center in Newark; and

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

WHEREAS, this will create a new bus route at a cost of \$97 per day starting October 15, 2009 through the end of the contract on June 30, 2010; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute an amendment to the contract with the Wayne Finger Lakes BOCES for a

total cost not to exceed \$6402 for the period 10/15/09 till 6/30/10, subject to the County attorney's approval as to form and content.

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

RESOLUTION NO. 795-09: AUTHORIZATION TO EXECUTE CONTRACT WITH CLERK TO ASSIST WITH H1N1 CLINICS

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) will be conducting several H1N1 influenza clinics in the fall of 2009 through the spring of 2010; and

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

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

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

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract with Mr. Sean Odit, 353 Water St., Alloway, Lyons, NY 14489, to provide clerical assistance at H1N1 clinics and attend planning meetings at a rate of \$15.00 per hour worked, not to exceed \$9000, with the approval from the County Attorney as to form and content.

From Account No. 40114.54444

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

RESOLUTION NO. 796-09: AUTHORIZATION TO PURCHASE ENTERPRISE SERVER LICENSE FOR WAYNE COUNTY PUBLIC HEALTH

Ms. Park presented the following:

WHEREAS, the Director of Wayne County Public Health is consistently in need of access to her email account to respond to NYS Alert notifications, ECLRS alerts, and H1N1 information from the NYSDOH; and

WHEREAS, the Director of Public Health consistently receives >150 emails per day and would like to stay up-to-date on changes when out of the office for meetings and trainings; and

WHEREAS, Wayne County has Enterprise Server license agreements for \$100; now, therefore, be it

RESOLVED, the Director of Public Health is authorized to obtain an Enterprise Server license for blackberry at a cost not to exceed \$100 from account 40114.54793BIO.

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

RESOLUTION NO. 797-09: AUTHORIZATION TO AMEND RES. 257-09 TO ADD THE FOLLOWING RELATED SERVICES TO EXISTING CONTRACT

Ms. Park presented the following:

WHEREAS, Wayne County must contract for the provisions of related services for preschool-aged children with handicapping conditions; and

WHEREAS, Christine DeFisher has requested to provide the following service:

Group Speech Therapy at a rate of \$35.00 per half hour effective 9/1/09

now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to amend the contract with Christine DeFisher to add Group Speech Therapy at a rate of \$35.00 per half hour effective 9/1/09, subject to the County Attorney's approval as to content and form, for the period of 9/1/09 – 6/30/11.

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

call, adopted.

RESOLUTION NO. 798-09: AUTHORIZATION TO APPOINT MEMBERS TO THE WAYNE COUNTY PUBLIC HEALTH'S HEALTH SERVICES ADVISORY BOARD

Ms. Park presented the following:

WHEREAS, Emilie Sisson's term will expire on 12/31/09 and Emilie is willing to continue serving on the Health Services Advisory Board for another term of four years starting January 1, 2010 to December 31, 2013; and

WHEREAS, Dr. Robert Biernbaum has agreed to become a new member of the Health Services Advisory Board for a four year term, starting January 1, 2010 to December 31, 2013; now, therefore, be it

RESOLVED, the Director of Public Health is hereby authorized to appoint Emilie Sisson and Dr. Robert Biernbaum to serve on the Health Services Advisory Board effective January 1, 2010 through December 31, 2013.

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

RESOLUTION NO. 799-09: AUTHORIZATION TO AMEND RES. 506-09 TO AMEND CONTRACT WITH WAYNE FINGER LAKES BOCES FOR TRANSPORTATION

Ms. Park presented the following:

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

WHEREAS, the North Rose Wolcott School District has fewer than 3 students on a half-day bus route to the Roosevelt Children's Center in Newark, NY; and

WHEREAS, Wayne Finger Lakes BOCES transportation is requesting a daily modification of \$33.00 per day starting on September 18, 2009 till June 30, 2010; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized and directed to execute an amendment to the contract with Wayne Finger Lakes BOCES for a total cost not to exceed \$5445.00 for the period September 18, 2009 till June 30, 2010, subject to the approval of the County Attorney as to form and content.

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

RESOLUTION NO. 800-09: AUTHORIZATION TO AMEND RES. 506-09 TO CONTRACT WITH WAYNE FINGER LAKES BOCES FOR TRANSPORTATION

Ms. Park presented the following:

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

WHEREAS, the Williamson Central School District has a new student as of October 15, 2009 will be attending the Roosevelt Pre-K Program at the Roosevelt Children's Center in Newark; and

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

WHEREAS, this will create a new bus route at a cost of \$97 per day starting October 15, 2009 through the end of the contract on June 30, 2010; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute an amendment to the contract with the Wayne Finger Lakes BOCES for a total cost not to exceed \$6402 for the period 10/15/09 till 6/30/10, subject to the County attorney's approval as to form and content.

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

RESOLUTION NO. 801-09: AUTHORIZATION TO CONTRACT FOR EARLY INTERVENTION STIMULUS FUNDS

Ms. Park presented the following:

WHEREAS, the Public Health department will receive \$40,497 in stimulus funding to support Early Intervention Administrative activities during the period 10/1/09 – 9/30/2011; and

WHEREAS, a work plan & budget must be submitted for approval prior to contract execution; now, therefore, be it

RESOLVED, that the Public Health Director is hereby authorized and directed to submit the work plan and budget; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute the Early Intervention Contract with New York State Department of Department of Health to support Early Intervention Administrative activities during the period 10/1/09 – 9/30/2011 for an amount not to exceed \$40,497.00.

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

RESOLUTION NO. 802-09: AUTHORIZATION TO AMEND RESOLUTION 678-09 FOR WAYNE COUNTY PUBLIC HEALTH

Ms. Park presented the following:

WHEREAS, the above resolution requires a change in the amount requested to \$4,500; and

WHEREAS, the 2009 budget was amended to cover appropriate cost; now, therefore, be it

RESOLVED, that the above mentioned resolution be amended to reflect the \$4,500 cost of purchasing 3 billboards for 2 months of educating the public for immunization.

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

RESOLUTION NO. 803-09: AUTHORIZATION TO CREATE ADVERTISING AND NEWSLETTER MAILING FOR CHHA

Ms. Park presented the following:

WHEREAS, Wayne Community Nursing Care (WCNC) would like to produce an advertising and newsletter mailing to be sent during the 4th quarter of 2009; and

WHEREAS, WCNC will be obtaining the mailing list from Aging and Youth; and

WHEREAS, the advertising and newsletter will promote WCNC services, introduce the WCNC new website and introduce the creation of the WCNC Newsletter; and

WHEREAS, the newsletter will consist of care giving in the home education and advertising WCNC services; and

WHEREAS, Wayuga Community Newspapers, Inc can produce such documents at a cost not to exceed \$1109.00; and

WHEREAS, the bulk mailing postage cost will not exceed \$620.00; now, therefore, be it

RESOLVED, the Director of Public Health is hereby authorized to purchase printing services from Wayuga Community Newspaper, Inc and postage for a mailing of a WCNC advertisement and newsletter at a total cost not to exceed \$1729.00 from A40194 54527 Public Relations.

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

RESOLUTION NO. 804-09: AUTHORIZATION TO WAYNE BEHAVIORAL HEALTH NETWORK TO RENEW ITS ANNUAL CONTRACT WITH ACM MEDICAL LABORATORY

Ms. Park presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) wishes to renew its annual contract with this provider for laboratory testing and analysis as the need for these ongoing services is necessary to operation of the agency; and

WHEREAS, there is no cost to WBHN for this service; now, therefore, be it
RESOLVED, that Wayne Behavioral Health Network and the Chairman of the Board are hereby authorized to renew said contract with the above provider for the period of January 1, 2010 to December 31, 2010, subject to the County Attorney's review of the contract as to form and content.

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

RESOLUTION NO. 805-09: AUTHORIZATION TO WAYNE BEHAVIORAL HEALTH NETWORK TO RENEW ANNUAL CONTRACT WITH WILLIAM KELLY, LCSW

Ms. Park presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) wishes to renew its annual contract with William Kelly, LCSW for the period January 1, 2010 through December 31, 2010, at a rate of \$110 per hour, to provide specialized clinical services related to the assessment, diagnosis and treatment of sexual disorders; and

WHEREAS, these services are essential for the agencies sexual offender treatment program which is a collaborative with the Wayne County Probation Department and which also provides clinical support services to the Wayne County Court and Department of Social Services; now, therefore, be it

RESOLVED, that the WBHN and the Chairman of the Board are authorized to renew a contract with William Kelly as described above, subject to the County Attorney's review as to form and content and upon adoption of the 2010 County Budget.

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

RESOLUTION NO. 806-09: AUTHORIZATION TO WAYNE BEHAVIORAL HEALTH NETWORK TO RENEW ANNUAL CONTRACT WITH MICHAEL SCHANK

Ms. Park presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) wishes to renew its annual contract with Michael Shank for the year January 1, 2010 through December 31, 2010 to provide Polygraph services for the sexual offender treatment program; and

WHEREAS, said professional will be reimbursed at the following rate:

Michael Schank \$250.00 per polygraph; and

WHEREAS, WBHN remains in need of the identified professional services and seeks to renew said contract; now, therefore, be it

RESOLVED, that the WBHN and the Chairman of the Board are authorized to renew this contract with the above individual, subject to the County Attorney's review as to form and content and passage of the 2010 County Budget.

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

RESOLUTION NO. 807-09: AUTHORIZATION TO WAYNE BEHAVIORAL HEALTH NETWORK TO RENEW ANNUAL CONTRACT WITH ROBERTA LINDNER

Ms. Park presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) wishes to renew its annual contract with Roberta Lindner, Licensed Occupational Therapist to provide Professional Therapy Services in WBHN programs for the year January 1, 2010 through December 31, 2010; and

WHEREAS, said clinician will be reimbursed at the following rate:

Roberta Lindner \$30.00 per hour (not to exceed budgeted amount); and

WHEREAS, WBHN remains in need of the identified clinical & professional services and seeks to renew said contract; now, therefore, be it

RESOLVED, that the WBHN and the Chairman of the Board are authorized to renew this contract with the above individual, subject to the County Attorney's review as to form and

content and the passage of the 2010 County Budget.

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

RESOLUTION NO. 808-09: AUTHORIZATION TO WAYNE BEHAVIORAL HEALTH NETWORK TO RENEW ANNUAL CONTRACT WITH RAQUIB RAJA, M.D. TO PROVIDE PSYCHIATRIC SERVICES

Ms. Park presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) wishes to renew its annual contract with Dr. Raquib Raja, MD, for the year January 1, 2010 to December 31, 2010; and

WHEREAS, the corresponding service rate shall be \$130 per hour for Psychiatric Services to Children & Youth and Adults; and

WHEREAS, it is essential that WBHN provide contracted psychiatric services to the children & youth patients in treatment at WBHN; now, therefore, be it

RESOLVED, that the WBHN and the Chairman of the Board are authorized to renew said contract with the above provider, subject to the County Attorney's review as to form and content and the adoption of the 2010 County Budget.

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

RESOLUTION NO. 809-09: AUTHORIZATION TO WAYNE BEHAVIORAL HEALTH NETWORK TO RENEW ANNUAL CONTRACT WITH BARBARA HART, RN FOR PROFESSIONAL CLINICAL SERVICES

Ms. Park presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) wishes to renew its annual contract with Barbara Hart, RN to provide Professional Clinical Services for Utilization Review and for Medical Record Auditing Services; and

WHEREAS, WBHN remains in need of these services in order to comply with regulatory requirements and as they are essential to agency operations; now, therefore, be it

RESOLVED that the WBHN and the Chairman of the Board are authorized to renew a contract with Barbara Hart, RN, for the period of January 1, 2010 to December 31, 2010, to provide Psychological Services to WBHN for the rate of \$5.50 per medical record reviewed, and said contract will be subject to the County Attorney's review as to form and content and passage of the 2010 County Budget.

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

RESOLUTION NO. 810-09: AUTHORIZATION TO WAYNE BEHAVIORAL HEALTH NETWORK TO RENEW ANNUAL CONTRACT WITH ANASAZI SOFTWARE, INC.

Ms. Park presented the following:

WHEREAS, Wayne Behavioral Health Network wishes to renew its annual contract with the following service provider for the year January 1, 2010 to December 31, 2010:

Anasazi, Inc.

and

WHEREAS, the contract shall include the corresponding services provided and shall not exceed the following amounts:

- | | |
|---|----------|
| • Electronic Medical Records Support & licensing | \$20,000 |
| • Electronic Signature Pads | \$15,000 |
| • Doctors Home Page Software & Electronic Prescribing | \$33,000 |

Total not to exceed \$68,000. (per 2010 budget)

now, therefore, be it

RESOLVED, that the WBHN and the Chairman of the Board is authorized to contract with the above provider for the above noted services, subject to the County Attorney's review as to form and content and adoption of the 2010 County Budget.

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

call, adopted.

RESOLUTION NO. 811-09: AUTHORIZATION TO WAYNE BEHAVIORAL HEALTH NETWORK TO RENEW ANNUAL CONTRACT WITH COORDINATED CARE SERVICES, INC.

Ms. Park presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) wishes to renew its annual contract with the following service provider for the year January 1, 2010 to December 31, 2010, Coordinated Care Services, Inc. for State Auditing and Fiscal Reporting; and

WHEREAS, the corresponding services provided shall not exceed the following amounts \$20,000 as per 2010 budget; now, therefore, be it

RESOLVED, that the WBHN and the Chairman of the Board is authorized to renew said contract with the above provider, subject to the County Attorney's review as to form and content and adoption of the 2010 County Budget.

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

RESOLUTION NO. 812-09: AUTHORIZATION TO WAYNE BEHAVIORAL HEALTH NETWORK TO EXECUTE CONTRACT WITH CHRISTOPHER HODGMAN, MD TO PROVIDE PSYCHIATRIC MEDICAL SERVICES

Ms. Park presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) continues to remain in essential need of additional psychiatric medical staff services in order to provide and maintain adequate medical treatment to patients; and WHEREAS, the maintenance of adequate child psychiatric medical services within WBHN is dependent upon the availability of contracted psychiatric services; and

WHEREAS, Wayne Behavioral Health Network is in need of additional essential psychiatric medical staff services for our children & youth clinic treatment team; and

WHEREAS, Dr. Hodgman is a NYS Licensed Psychiatrist experienced in treating children with psychiatric disorders and can provide such services as needed; now, therefore, be it

RESOLVED that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Christopher Hodgman, MD, NYS Licensed Psychiatrist, at the rate of \$130.00/hour for the period of January 1, 2010 thru Dec. 31, 2010 at a total cost not to exceed budgeted funds for said contractual services per adoption of the 2010 County Budget.

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

RESOLUTION NO. 813-09: AUTHORIZATION TO WAYNE BEHAVIORAL HEALTH NETWORK TO RENEW ANNUAL CONTRACT WITH STAFF CARE, INC.

Ms. Park presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) wishes to renew its annual contract with Staff Care, Inc. for the period January 1, 2010 to December 31, 2010; and

WHEREAS, Locum Tenens services are essential for the provision of, and the continuity of care, for psychiatric services; and

WHEREAS, WBHN is at times in need of Locum Tenens psychiatric services and wishes to continue to have the ability to expeditiously access these services when needed; now, therefore, be it

RESOLVED, that the WBHN and the Chairman of the Board are authorized to renew said contract with the above provider, subject to the County Attorney's review as to form and content and adoption of the 2010 County Budget.

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

RESOLUTION NO. 814-09: AUTHORIZATION TO WAYNE BEHAVIORAL HEALTH NETWORK TO RENEW ANNUAL CONTRACT WITH JOEL ARCHER, LCSW-R

Ms. Park presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) wishes to renew its annual contract with the following clinician & professional staff for the period January 1, 2010 through December 31, 2010:

Joel Archer, LCSW-R – Licensed Clinical Social Worker; and

WHEREAS, said clinician will be reimbursed at the following rates:

Joel Archer, LCSW-R \$40 per hour; and

WHEREAS, WBHN remains in need of the identified clinical & professional services provided by this individual; now, therefore, be it

RESOLVED, that the WBHN and the Chairman of the Board is authorized to renew said contract with the above individual, subject to the County Attorney's review as to form and content and adoption of the 2010 County Budget.

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

RESOLUTION NO. 815-09: AUTHORIZATION TO WAYNE BEHAVIORAL HEALTH NETWORK TO RENEW ANNUAL CONTRACT WITH ODYSSEUS ADAMIDES, M.D. TO PROVIDE PSYCHIATRIC SERVICES

Ms. Park presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) wishes to renew its annual contract with Dr. Adamides for the year January 1, 2010 to December 31, 2010; and

WHEREAS, the corresponding service rate shall be \$150 per hour for Psychiatric Services and for serving as Medical Director; and

WHEREAS, it is essential that WBHN provide contracted psychiatric services and have a designated physician to serve as medical director; now, therefore, be it

RESOLVED, that the WBHN and the Chairman of the Board are authorized to renew said contract with the above provider, subject to the County Attorney's review as to form and content and the adoption of the 2010 County Budget.

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

RESOLUTION NO. 816-09: AUTHORIZATION TO WAYNE BEHAVIORAL HEALTH NETWORK TO RENEW CONTRACT WITH SANDI GRANT, NURSE PRACTITIONER FOR PSYCHIATRIC MEDICAL SERVICES

Ms. Park presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) continues to remain in essential need of psychiatric medical staff services in order to provide and maintain adequate medical treatment to patients and WBHN wishes to renew its annual with Sandi Grant, NP; now, therefore, be it

RESOLVED, that the Chairman of Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Sandi Grant, NP, Licensed Psychiatric Nurse Practitioner, at the rate of \$65/hour for the period of January 1, 2010 thru Dec. 31, 2010 at a total cost not to exceed budgeted funds for said contractual services, subject to passage of the 2010 County Budget.

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

RESOLUTION NO. 817-09: AUTHORIZATION TO WAYNE BEHAVIORAL HEALTH NETWORK TO RENEW ANNUAL CONTRACT WITH RICHARD HOYT, PH.D. FOR PSYCHOLOGICAL SERVICES

Ms. Park presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) wishes to renew its annual contract with Richard Hoyt, PhD to provide Psychological Services; and

WHEREAS, WBHN remains in need of the psychological services provided by Dr. Hoyt as they are essential to agency operations; now, therefore, be it

RESOLVED that the WBHN and the Chairman of the Board are authorized to renew a contract with Richard Hoyt, PhD, for the period of January 1, 2010 to December 31, 2010, to provide Psychological Services to WBHN for the rate of \$110 per hour, and said contract will be subject to the County Attorney's review as to form and content and passage of the 2010 County Budget.

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

RESOLUTION NO. 818-09: APPROVAL OF CONTRACT WITH ACM MEDICAL LABORATORY, INC.

Ms. Park presented the following:

WHEREAS, clinical laboratory testing services for the residents of the Wayne County Nursing Home must be provided; and

WHEREAS, ACM Medical Laboratory, Inc. is a provider of clinical laboratory services; and

WHEREAS, fees are in accordance with the Medicare published fee schedule; and

WHEREAS, the Nursing Home wishes to retain ACM Medical Laboratory, Inc. for 2010, for the provisions of services; now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes an agreement for 2010 with ACM Medical Laboratory, Inc for the provision of services at a fee as established by the Medicare published fee schedule. Agreement is subject to the County Attorney's approval as to form and content, and approval of the 2010 budget.

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

RESOLUTION NO. 819-09: AREA AGENCY ON AGING 2010 ANNUAL IMPLEMENTATION PLAN

Mr. Hammond presented the following:

WHEREAS, the Chairman of the Board is required to sign the Annual Implementation Plan (budgets) for the year 2010 in order to receive the following funding. The funding components that must be submitted include the following:

Federal-Older Americans Act for the period January 1, 2010 through December 31, 2010-
Titles III-B, III-C-1, III-C-2, III-D, III-E, Title VII

Federal-Older Americans Act for the period July 1, 2010 through June 30, 2011
Title V

Federal-Older Americans Act for the period April 1, 2010 through March 31, 2011
WRAP (Weatherization)

Federal-Older Americans Act for the period June 1, 2010 through May 31, 2011
MIPPA

State Grants for the period April 1, 2010 through March 31, 2011

SNAP (Supplemental Nutrition Assistance Program),

CSI (Community Services Initiative)

EISEP (Expanded In-Home Services for the Elderly),

CSE (Community Service for the Elderly)

LTCOP (Long Term Care Ombudsman Program),

HIICAP (Health Insurance Information Counseling and Assistance Program)

Transportation

These 16 funding streams make up the bulk of the Aging Departments budget, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the Annual Implementation Plan for the year 2010.

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

RESOLUTION NO. 820-09: WAYNE COUNTY ACTION PROGRAM-PARENT SUPPORT CONNECTION 2010 CONTRACT RENEWAL FOR THE WAYNE COUNTY DEPARTMENT OF AGING AND YOUTH

Mr. Hammond presented the following:

WHEREAS, Wayne County Department of Aging and Youth contracts with Wayne CAP Parent Support Connection to provide support services and in-home parent education for the Family and Communities Together (FACT) Program. Services would be delivered to 30 families annually. The program budget is not to exceed \$39,000; and

WHEREAS, funding for these services are 100% reimbursable from a Bullis Foundation grant and Wayne County School Districts/FACT contracts; and, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors to is hereby authorized and directed to execute a contract, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the Wayne County Action Parent Support Connection Program in the amount of \$39,000. The funding is contingent on OCFS 2010 final funding allocations and the approval of the 2010 County Budget. The contract period is January 1, 2010 through December 31, 2010.

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

RESOLUTION NO. 821-09: 2010 FAMILY COUNSELING OF THE FINGER LAKES CONTRACT RENEWAL FOR THE WAYNE COUNTY DEPARTMENT OF AGING AND YOUTH

Mr. Hammond presented the following:

WHEREAS, the Wayne County Department of Aging and Youth contracts with Family Counseling Service of the Finger Lakes, Inc., for the provision of family and youth counseling services. Emphasis is placed on youth who are experiencing risk factors such as school failure, truancy, poor social/family relations, and/or acting out behavior. Services will be provided to 75 youth. The program budget is not to exceed \$30,700, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors to is hereby authorized and directed to execute a contract, on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the Family Counseling of the Finger Lakes, Inc. in the amount of \$30,700. The funding is contingent on OCFS 2010 final funding allocations and the approval of the 2010 County Budget. The contract period is January 1, 2010 through December 31, 2010.

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

RESOLUTION NO. 822-09: AUTHORIZATION TO SUBMIT OCFS RESOURCE ALLOCATION PLAN FOR THE WAYNE COUNTY DEPARTMENT OF AGING AND YOUTH

Mr. Hammond presented the following:

WHEREAS, NY State Office of Children and Family Services funding requires the Chairman of the Board to sign the OCFS Resource Allocation Plan for the year 2010 in order to receive funding to support various youth service and recreation programs in Wayne County; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the OCFS Resource Plan for the year 2010.

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

RESOLUTION NO. 823-09: AUTHORIZATION FOR THE DIRECTOR OF THE DEPARTMENT OF AGING AND YOUTH TO SIGN 2010 OCFS BUDGET AMENDMENTS

Mr. Hammond presented the following:

WHEREAS, the NY State Office of Family and Children Services Resource Allocation Plan stipulates that the Chief Executive may authorize the Youth Bureau Director to sign OCFS Youth Bureau budget amendments; and

WHEREAS, this authorization must be given in writing and filed annually with the State OCFS Regional Office; and

WHEREAS, the Board of Supervisors will still approve all modifications to the County Budget by the current procedure; now, therefore, be it

RESOLVED, the Board of Supervisors authorizes the Director of the Department of Aging and Youth, Penny Shockley, to sign the OCFS budget amendments for the 2010 program year.

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

RESOLUTION NO. 824-09: AUTHORIZATION TO EXECUTE CONGREGATE MEAL NUTRITION SITE CONTRACTS FOR 2010

Mr. Hammond presented the following:

WHEREAS, the Department of Aging and Youth provides congregate meals in several Senior Centers in Wayne County and is requesting renewal of the congregate meal contracts/rental agreements for 2010, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors to 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, the following Congregate meal site contracts for the period of January 1, 2010 through December 31, 2010. The funding is contingent on NYSOFA 2010 final funding allocations and the approval of the 2010 County Budget.

- Town of Ontario \$6,200 annually
- Village of Newark \$3,975 annually
- St. John's Catholic Church, Clyde, NY \$285 per month
- Faith United Methodist Church, Wolcott \$325 per month
- Village of Palmyra \$100 per month

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

RESOLUTION NO. 825-09: 2010 CONTRACT RENEWAL FOR DIETITIAN SERVICES FOR THE DEPARTMENT OF AGING AND YOUTH

Mr. Hammond presented the following:

WHEREAS, NY State Office for the Aging requires all congregate and home delivered meals meet 1/3 of the RDA compliance standards; and

WHEREAS, The Department of Aging and Youth contracts with Geraldine Morse, RD to provide 10 hours of dietitian services per week to meet those compliance standards and to provide nutrition counseling to the elderly that have been assessed nutritionally at risk; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Geraldine Morse, RD., for the period of January 1, 2010 through December 31, 2010, to provide the required dietary services; and

RESOLVED, that the terms and conditions of this contract remain the same as 2009. The hourly rate will be \$38.00 per hour. The total of all payments will not exceed \$18,240, plus mileage at a current rate. The funding is contingent on NYSOFA 2010 final funding allocations and the approval of the 2010 County Budget.

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

RESOLUTION NO. 826-09: 2010 CONTRACT RENEWAL WITH WAYNE COUNTY CHAPTER, NYS ASSOCIATION FOR RETARDED CHILDREN

Mr. Hammond presented the following:

WHEREAS, the Department of Aging and Youth contracts with NYS Association for Retarded Children (Key Industries) to provide bulk meal preparation for our six congregate Senior Centers; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors to is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with ARC (Key Industries), for the period of January 1, 2010 through December 31, 2010 for bulk meal catering; and be it further

RESOLVED, that the terms and conditions of this contract remain the same as 2009. The meal rate will be \$3.40 and the maximum contract amount will not exceed \$85,000 (including USDA funds). The funding is contingent on NYSOFA 2010 final funding allocations and the approval of the 2010 County Budget.

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

RESOLUTION NO. 827-09: 2010 CONTRACT RENEWAL-MONROE COUNTY LEGAL ASSISTANCE/LEGAL ASSISTANCE OF THE FINGER LAKES FOR THE DEPARTMENT OF AGING AND YOUTH

Mr. Hammond presented the following:

WHEREAS, the Department of Aging and Youth contracts with Monroe County Legal Assistance/ Legal Assistance of the Finger Lakes to provide civil legal services for senior citizen as mandated by the Older American Act Program using Title III B funds; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors to is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Monroe County Legal Assistance/Legal Assistance of the Finger Lakes to provide eligible seniors over sixty legal services for the period of January 1, 2010 through December 31, 2010; be it further

RESOLVED, that the terms and conditions of this contract remain the same. The funding is contingent on NYSOFA 2010 final funding allocations and the approval of the 2010 County Budget.

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

RESOLUTION NO. 828-09: AUTHORIZATION TO RENEW 2010 CONTRACT WITH LIFETIME CARE INC FOR THE DEPARTMENT OF AGING AND YOUTH

Mr. Hammond presented the following:

WHEREAS, the Department of Aging and Youth contracts with Lifetime Care, Inc. to provide non-medical, in-home services and non-institutional respite services to elderly clients assessed eligible by our department; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors to is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Lifetime Care, Inc., for the period of January 1, 2010 through December 31, 2010, for non-medical, in-home Services and non-institutional respite services; and be it further

RESOLVED, that the terms and conditions of this contract remain the same with Appendix A modified to reflect the new rates for services; and be it further

RESOLVED, that the PCA I and PCA II rates are not to exceed the approved Medicaid rate. The funding is contingent on NYSOFA 2010 final funding allocations and the approval of the 2010 County Budget.

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

adopted.

RESOLUTION NO. 829-09: AUTHORIZATION TO CONTRACT WITH CORNELL COOPERATIVE EXTENSION FOR NUTRITION EDUCATION AND SENIOR CENTER TRAINING FOR THE DEPARTMENT OF AGING AND YOUTH

Mr. Hammond presented the following:

WHEREAS, the Department of Aging and Youth receives Residence Opportunities and Self Sufficiency (ROSS) grant funds to provide case management services for seniors at the Newark High-Rise and nutrition education has been identified as a priority issue in this grant; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Cornell Cooperative Extension from January 1, 2010 through December 31, 2010, to provide twelve monthly Nutrition Education workshops at \$86.00 per workshop at the Newark High-Rise; and be it further

RESOLVED, that the cost for these services will not exceed \$1,032 and is contingent on ROSS funding allocations.

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

RESOLUTION NO. 830-09: AUTHORIZATION TO CONTRACT WITH PEER PLACE NETWORKS, LLC FOR DATA COLLECTION AND REPORTING SOFTWARE

Mr. Hammond presented the following:

WHEREAS, the Wayne County Department of Aging and Youth is required to collect and report client demographics and services data to the New York State Office for the Aging (NYSOFA); and

WHEREAS, Peer Place Networks, LLC offers an Internet-based data collection and reporting system that is fully compatible with NYSOFA requirements and requires no local software installation and support; and

WHEREAS, the monthly hosting fees for Peer Place is \$787, for a total annual subscription fee of \$9,439; and

WHEREAS, the cost of this reporting system is 100% reimbursable through State/Federal grants; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Peer Place Networks, LLC for the annual fee of \$9,439 for period of January 1, 2010 through December 31, 2010.

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

RESOLUTION NO. 831-09: 2010 PRE-TRIAL DIVERSION AND HOMELESS PROGRAM CONTRACT RENEWALS FOR THE WAYNE COUNTY DEPARTMENT OF AGING AND YOUTH

Mr. Hammond presented the following:

WHEREAS, Wayne County Department of Aging and Youth contracts with Wayne Pre-Trial Diversion to provide homeless and diversion services to Wayne County Youth; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Wayne Pre-Trial Services, Inc., for the operation of a Pre-Trial Diversion Program and a Homeless Youth Program for Wayne County Youth. The funding is contingent on OCFS 2010 final funding allocations and the approval of the 2010 County Budget. The contract period is January 1, 2010 through December 31, 2010. The contract will be for the time period of January 1, 2010 through December 31, 2010 in an

amount not to exceed \$141,000 to be derived from the following sources:

County Tax Revenues	\$68,308
State Aid Reimbursement (to County)	16,936 (YDDP)
State Aid Reimbursement (to County)	16,256 (SDPP)
State Aid Reimbursement (to County)	<u>39,500</u> (RHY-II)
TOTAL	\$141,000

PAYMENT: the County shall pay the contractor the sum of \$23,500 in January 2010 and the sum of \$11,750 in each of the months February-November 2010.

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

RESOLUTION NO. 832-09: AUTHORIZE CONTRACT WITH WAYNE COUNTY ASSOCIATION FOR RETARDED CITIZENS (ARC) FOR SERVICES TO NON-COMPLIANT RECIPIENTS

Mr. Hammond presented the following:

WHEREAS, Wayne ARC has worked effectively with non-compliant adults in the past to get them back involved with meeting work requirements; and

WHEREAS, due to the past success of this program, Wayne DSS desires to contract with Wayne ARC from 1/1/10-12/31/10, using \$75,000 of TANF funding; and

WHEREAS, this program helps Wayne DSS meet federal participation rate requirements; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into a contract, subject to the review of the County Attorney, the total of which is not to exceed \$75,000 for the timeframe 1/1/10-12/31/10; and be it further

RESOLVED, that there are no county monies included in the cost of this contract.

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

RESOLUTION NO. 833-09: AUTHORIZATION TO DECLARE VEHICLE SURPLUS FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mr. Hammond presented the following:

WHEREAS the following vehicle is no longer of use by the Wayne County Department of Social Services due to its age and mileage:

2000 Chevrolet Suburban – 2C4GJ25R8YR666801

now, therefore, be it

RESOLVED, that the vehicle listed above is hereby declared surplus and moved to Central Garage in accordance with the Surplus Vehicle Disposition Procedure outlined in Resolution No. 128-09.

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

RESOLUTION NO. 834-09: AUTHORIZE CONTRACT WITH WAYNE BEHAVIORAL FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mr. Hammond presented the following:

WHEREAS, it is the intention of Wayne County to meet the needs of its youth in their home communities if feasible; and

WHEREAS, Quality Intensive Sexual abuse services are available through Wayne Behavioral Services; and

WHEREAS, the provision of these services may be an integral component of obviating the need for long-term institutionalization; now, therefore, be it

RESOLVED, that the Commissioner of the Wayne County Department of Social Services is hereby authorized to enter into an agreement with Wayne Behavioral Services for the provision of Intensive Sexual Abuse Services at a cost not to exceed \$50,000, for the timeframe 1/1/10 – 12/31/10 subject to the County Attorney's review.

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

RESOLUTION NO. 835-09: AUTHORIZE CONTRACT WITH WAYNE COUNTY ACTION PROGRAM, INC. FOR RESPITE SERVICES FOR THE WAYNE COUNTY DEPT. OF SOCIAL SERVICES

Mr. Hammond presented the following:

WHEREAS, New York State PINS legislation mandates each county to provide respite services as an alternative to non-secure detention; and

WHEREAS, the cost of non-secure detention is significantly higher than the cost of respite services; and

WHEREAS, the Wayne County Action Program, Inc. has provided respite services to the PINS/Preventive program in Wayne County; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into a contract, subject to review by the County Attorney, with the Wayne County Action Program, Inc. for the provision of respite services for the timeframe 1/1/10-12/31/10 at a per diem rate of up to \$60.00.

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

RESOLUTION NO. 836-09: AUTHORIZE AGREEMENT WITH WAYNE COUNTY WORKFORCE DEVELOPMENT FOR TEAP SERVICES FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mr. Hammond presented the following:

WHEREAS, New York State has been notified that it needs to meet Federal Participation Rates; and

WHEREAS, New York State has notified counties that they may face fiscal penalties if the Federal Participation Rates are not met; and

WHEREAS, Wayne DSS is desirous of implementing that which is within its power to raise its participation rates if possible; and

WHEREAS, Monies can be made available through diversion of safety net grants to employers which would allow for placements and/or training of safety net clients which can be expected to affect participation rates; now, therefore, be it

RESOLVED, that the Commissioner of Social Services is hereby authorized to enter into an agreement with Wayne County Workforce Development for a TEAP Program in an amount not to exceed \$3,100 subject to the review of the County Attorney, for the timeframe 1/1/10-12/31/10.

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

RESOLUTION NO. 837-09: AUTHORIZE CONTRACT WITH YOUTH ADVOCACY PROGRAM FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mr. Hammond presented the following:

WHEREAS, youth are being placed outside their homes at a significant expense to the County; and

WHEREAS, many of these youth, if given the necessary and appropriate services, could stay in the community; and

WHEREAS, youth already placed outside their homes may be able to be returned to the community if provided the appropriate services; and

WHEREAS, such services and service coordination can be provided and/or arranged for by the Youth Advocacy Program; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into a contract, subject to the County Attorney's review, with the Youth Advocacy Program in an amount not to exceed \$320,000 for the timeframe 1/1/10 - 12/31/10

for the purpose of reducing youth out-of-home placements.

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

RESOLUTION NO. 838-09: AUTHORIZE CONTRACT WITH FLACRA FOR DRUG/ALCOHOL ASSESSMENTS FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mr. Hammond presented the following:

WHEREAS, the Wayne County Department of Social Services (DSS) is required to contract for drug/alcohol assessment services for those applying for cash assistance; and

WHEREAS, Wayne DSS is required to provide a choice of assessment options; and

WHEREAS, Wayne DSS is reimbursed at a rate of \$40.00 per assessment by the New York State Office of Temporary and Disability Assistance; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement with Finger Lakes Addictions Counseling & Referral Agency, Inc. (FLACRA), subject to the County Attorney's approval as to form and content, for the provision of drug/alcohol assessment services during the period 1/1/10 - 12/31/10 at a fee of \$40.00 per assessment, at a total cost not to exceed \$16,000 with no county cost.

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

RESOLUTION NO. 839-09: AUTHORIZE CONTRACT WITH CLIFTON SPRINGS HOSPITAL FOR DRUG/ALCOHOL ASSESSMENTS FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mr. Hammond presented the following:

WHEREAS, the Wayne County Department of Social Services (DSS) is required to contract for drug/alcohol assessment services for those applying for cash assistance; and

WHEREAS, Wayne DSS is required to provide a choice of assessment options; and

WHEREAS, Wayne DSS is reimbursed at a rate of \$40.00 per assessment by the New York State Office of Temporary and Disability Assistance; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement with Clifton Springs Hospital, subject to the County Attorney's approval as to form and content, for the provision of drug/alcohol assessment services during the period 1/1/10-12/31/10 at a fee of \$40.00 per assessment, at a total cost not to exceed \$16,000 with no county cost.

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

RESOLUTION NO. 840-09: AUTHORIZE CONTRACT WITH CATHOLIC FAMILY CENTER FOR DRUG/ALCOHOL ASSESSMENTS FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mr. Hammond presented the following:

WHEREAS, the Wayne County Department of Social Services (DSS) is required to contract for drug/alcohol assessment services for those applying for cash assistance; and

WHEREAS, Wayne DSS is required to provide a choice of assessment options; and

WHEREAS, Wayne DSS is reimbursed at a rate of \$40.00 per assessment by the New York State Office of Temporary and Disability Assistance; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement with Catholic Charities of the Diocese of Rochester, d/b/a Catholic Family Center, subject to the County Attorney's approval as to form and content, for the provision of drug/alcohol assessment services during the period 1/1/10-12/31/10 at a fee of \$40.00 per assessment, at a total cost not to exceed \$16,000 with no county cost.

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

RESOLUTION NO. 841-09: AUTHORIZE CONTRACT WITH RGRTA/WATS FOR ON-DEMAND TRANSPORTATION SERVICES FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mr. Hammond presented the following:

WHEREAS, Wayne County is required to meet participation rates or face possible fiscal penalties as a consequence specified by the Federal Deficit Reduction Act of 2005 and New York State statute; and

WHEREAS, one of the major barriers to work/work readiness participation is the lack of transportation; and

WHEREAS, New York State has provided, through the Office of Temporary and Disability Assistance, Community Solutions to Transportation (CST) monies to counties in the past, most recently in an amount of \$51,000 to Wayne County Department of Social Services (DSS); and

WHEREAS, Rochester Genesee Regional Transportation Authority (RGRTA) has also been allocated CST monies by New York State in the past; and

WHEREAS, the Wayne Area Transportation System (WATS) has provided timely and effective service in the past; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into an agreement with the Rochester Genesee Regional Transportation Authority, subject to review by the County Attorney, for the provision of on-demand services to Wayne DSS clients for an amount not to exceed \$51,000 for the time period 1/1/10 – 12/31/10.

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

RESOLUTION NO. 842-09: AUTHORIZE CONTRACT WITH FAMILY COUNSELING SERVICE OF THE FINGER LAKES, INC. FOR SEXUAL ABUSE VERIFICATION SERVICES FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mr. Hammond presented the following:

WHEREAS, Wayne County Department of Social Services (DSS) is required to investigate reports of suspected abuse and neglect, including sexual abuse; and

WHEREAS, Wayne DSS desires to obtain an expert analysis of sexual abuse allegations; and

WHEREAS, Family Counseling Service of the Finger Lakes, Inc. has employees with such expertise; 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 Wayne County Department of Social Services, subject to the County Attorney's approval as to form and content, with Family Counseling Service of the Finger Lakes, Inc. regarding the use of Preventive funds under the Child and Family Services Block Grant for the provision of Sexual Abuse Services for the term 1/1/10–12/31/10 for an amount not to exceed \$42,000.

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

RESOLUTION NO. 843-09: AUTHORIZE CONTRACT WITH VICTIM RESOURCE CENTER, INC. FOR NON RESIDENTIAL DOMESTIC VIOLENCE SERVICES FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mr. Hammond presented the following:

WHEREAS, Wayne County Department of Social Services is required to provide services to victims of Domestic Violence; and

WHEREAS, Victim Resource Center, Inc. is a certified Domestic Violence agency that has provided both residential and non-residential services to Domestic Violence victims for a number of years in Wayne County; and

WHEREAS, Wayne DSS receives reimbursement from NY State for such services; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby

authorized to execute an agreement with Victim Resource Center, Inc., subject to the County Attorney's approval as to form and content, for the provision of Non Residential Domestic Violence Services during the period 1/1/10 - 12/31/10 subject to a maximum contract amount of \$22,716.

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

RESOLUTION NO. 844-09: AUTHORIZE CONTRACT WITH WAYNE COUNTY ACTION PROGRAM FOR TRANSPORTATION SERVICES FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mr. Hammond presented the following:

WHEREAS, Wayne County desires to provide transportation services for individuals to seek and maintain employment; and

WHEREAS, Wayne County Department of Social Services desires to do this in the most cost-effective manner possible; and

WHEREAS, Wayne County Action Program has secured a grant to provide weekend transportation to TANF eligible individuals which requires a 20% match; and

WHEREAS, this service is significantly more cost-effective than the present system; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into a contract, subject to review by the County Attorney, with the Wayne County Action Program, Inc. for the provision of transportation services for the timeframe 11/1/09-10/31/10 at a cost not to exceed \$5150 as the County's matching share.

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

RESOLUTION NO. 845-09: AUTHORIZE CONTRACT WITH VICTIM RESOURCE CENTER OF THE FINGER LAKES, INC. FOR THE PROVISION OF DOMESTIC VIOLENCE RESIDENTIAL SERVICES FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mr. Hammond presented the following:

WHEREAS, Wayne County Department of Social Services (DSS) is responsible for ensuring a safe place is available for victims of Domestic Violence; and

WHEREAS, Victim Resource Center of the Finger lakes, Inc. (VRC) is certified to provide residential services in Wayne County; and

WHEREAS, VRC has provided such residential services in a competent manner in the past; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a contract with the Victim Resource Center of the Finger Lakes, Inc., subject to the County Attorney's approval as to form and content, for the provision of Residential Domestic Violence Services in accordance with 18 NYCRR 408. The term of the contract will be 1/1/10 through 12/31/10 at a cost not to exceed \$70,000.

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

RESOLUTION NO. 846-09: AUTHORIZE CONTRACT WITH CATHOLIC CHARITIES OF THE DIOCESE OF ROCHESTER D/B/A CATHOLIC CHARITIES OF WAYNE COUNTY FOR THE PROVISION OF PREVENTIVE SERVICES FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mr. Hammond presented the following:

WHEREAS, Wayne County is required to provide a Designated Assessment Service for potential PINS youth; and

WHEREAS, Wayne DSS desires to contract for this service with an agency that has developed an expertise and track record in this area; and

WHEREAS, Catholic Charities has developed both an expertise and effective track record; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an Agreement with Catholic Charities of the Diocese of Rochester d/b/a Catholic Charities of Wayne County, subject to the County Attorney's approval as to form and content, for the provision of Preventive Services to the Department of Social Services during the period 1/1/10-12/31/10 subject to a maximum contract amount of \$283,500.

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

RESOLUTION NO. 847-09: AUTHORIZING CONTRACT WITH WAYNE COUNTY WORKFORCE DEVELOPMENT FOR WORKSHOP ACTIVITIES FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mr. Hammond presented the following:

WHEREAS, Wayne County Department of Social Services (DSS) desires to meet Federal participation rates and keep the cash assistance cases at the lowest level practicable; and

WHEREAS, a strategy that has been effective in the past is applicant workshop activities provided by Wayne County Workforce Development; and

WHEREAS, given present and projected economic conditions such efforts are necessary to respond to anticipated higher application rates; now, therefore, be it

RESOLVED, that the Commissioner of the Wayne County Department of Social Services is hereby authorized to enter into an Agreement with Wayne County Workforce Development for the provision of 3 Day workshop activities, subject to the County Attorney's approval as to form and content, at an amount not to exceed \$50,000 for the timeframe 1/1/10-12/31/10.

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

RESOLUTION NO. 848-09: CONTRACT WITH WAYNE COUNTY ASSOCIATION OF RETARDED CITIZENS FOR A TRANSITIONAL JOBS PROGRAM FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mr. Hammond presented the following:

WHEREAS, New York State has made available to Wayne County monies to support a Transitional Jobs Program which provides training and subsidized employment opportunities; and

WHEREAS, Wayne County DSS has clients that are in need of such training and subsidies to secure ongoing unsubsidized employment; and

WHEREAS, Wayne ARC has worked successfully with this population in the past; and

WHEREAS, New York State Office of Temporary and Disability Assistance has approved the Transitional Jobs Plan as submitted by Wayne ARC; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into a contract with Wayne County ARC for the provision of a Transitional Jobs Program, subject to the County Attorney's review, in an amount not to exceed \$67,697 for the timeframe 11/1/09 – 10/31/10.

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

RESOLUTION NO. 849-09: AUTHORIZE CONTRACT WITH LEGAL ASSISTANCE OF WESTERN NEW YORK, INC. FOR LEGAL ADVOCACY PROJECTS FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mr. Hammond presented the following:

WHEREAS, there is a need for legal services for employment-related issues and education issues; and

WHEREAS, these services are expected to increase employment and secure needed

educational services to allow youth to stay in the community; and

WHEREAS, Legal Assistance of the Finger Lakes has experience and expertise in these areas; 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 Wayne County Department of Social Services, subject to the County Attorney's review as to form and content, with Legal Assistance of Western New York, Inc. for the provision of Legal Advocacy Projects during the 11/1/09 – 10/31/10 timeframe at a cost not to exceed \$40,000.

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

RESOLUTION NO. 850-09: AUTHORIZING CONTRACT WITH WAYNE COUNTY WORKFORCE DEVELOPMENT FOR INTENSIVE EMPLOYMENT UNIT

Mr. Hammond presented the following:

WHEREAS, Wayne County Department of Social Services (DSS) desires to meet Federal participation rates and keep the cash assistance cases at the lowest level practicable; and

WHEREAS, a strategy that has been effective in the past is an intensive employment unit provided by Wayne County Workforce Development; and

WHEREAS, given present and projected economic conditions such efforts are necessary to respond to anticipated higher application rates; now, therefore, be it

RESOLVED, that the Commissioner of the Wayne County Department of Social Services is hereby authorized to enter into an Agreement with Wayne County Workforce Development for the staffing of an Intensive Employment Unit, subject to the County Attorney's approval as to form and content, at an amount not to exceed \$130,000 for the timeframe 1/1/10-12/31/10.

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

RESOLUTION NO. 851-09: AUTHORIZE AGREEMENT WITH CENTER FOR DISABILITY RIGHTS FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mr. Hammond presented the following:

WHEREAS, disabled individuals have the right to direct their own care, if so desired; and

WHEREAS, the Center for Disability Rights provides the oversight of this service in the Wayne County area; now, therefore, be it

RESOLVED, that the Commissioner of the Wayne County Department of Social Services is hereby authorized to sign an Agreement with the Center for Disability Rights, Inc, subject to the approval of the County Attorney, for provision of the Consumer Directed Personal Assistance Program (CDPAP) for the timeframe 1/1/10-12/31/10.

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

RESOLUTION NO. 852-09: AUTHORIZATION TO EXECUTE CONTRACTS IN RELATION TO CHILD CARE DEVELOPMENT BLOCK GRANT PROJECT

Mr. Hammond presented the following:

WHEREAS, the NYS Office of Children and Family Services (OCFS) is authorized to register and inspect child day care programs or to contract for this service; and

WHEREAS, local departments of Social Services (LDSS) are qualified to fulfill the required responsibilities; and

WHEREAS, NYS OCFS provides Child Care and Development Block Grant (CCDBG) funds to Wayne County Department of Social Services to subcontract for these services; 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 Wayne County Department of Social Services, subject to the County Attorney's approval as to form and content, with the New York

State Office of Children and Family Services regarding the use of federal funds under the Child Care Development Block Grant (CCDBG) for the period 1/1/10 to 12/31/10; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a subcontract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the Child Care Council, Inc. for the provision of services required by the Contract between the Wayne County Department of Social Services and the New York State Office of Children & Family Services for the period 1/1/10 to 12/31/10.

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

RESOLUTION NO. 853-09: AUTHORIZE CONTRACT WITH FAMILY COUNSELING SERVICES OF THE FINGER LAKES FOR THE PROVISION OF SEXUAL ABUSE TREATMENT SERVICES

Mr. Hammond presented the following:

WHEREAS, many children in Wayne County become victims of sexual abuse each year; and

WHEREAS, these children need treatment to successfully recover from this abuse and carry on productive lives; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into a contract with Family Counseling Services of the Finger Lakes, subject to the approval of the County Attorney, for the provision of sexual abuse treatment services for an amount not to exceed \$51,000, for the period 1/1/10 – 12/31/10.

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

RESOLUTION NO. 854-09: AUTHORIZING AGREEMENT WITH FLCC FOR DSS EMPLOYEE TRAINING

Mr. Hammond presented the following:

WHEREAS, training is an integral and necessary component of DSS work responsibilities; and

WHEREAS, NY State underwrites costs for training provided through contract with local Community Colleges; and

WHEREAS, Finger Lakes Community College has suitably and effectively provided training in the past; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an agreement on behalf of the Wayne County Department of Social Services, subject to the County Attorney's approval as to form and content, with the Finger Lakes Community College to provide training for employees of the Department of Social Services for the period January 1, 2010 to December 31, 2010 at a total project cost not to exceed \$39,968.

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

RESOLUTION NO. 855-09: AUTHORIZE AGREEMENT WITH ONTARIO COUNTY FOR USE OF NON-SECURE DETENTION FACILITY IN HOPEWELL

Mr. Hammond presented the following:

WHEREAS, Wayne County is required to have non-secure detention available as an alternative for placement of youth involved with either PINS or JD court proceedings; and

WHEREAS, Wayne DSS desires to secure the most cost-effective site possible; and

WHEREAS, the Hopewell Facility is the most cost-effective site to secure these services; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized, to execute an agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Ontario County for the provision of non-secure

detention beds at its Hopewell Facility at a rate not to exceed \$205 per day per child plus a \$20 per child health assessment fee for the period 1/1/10 – 12/31/10.

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

RESOLUTION NO. 856-09: AUTHORIZE AGREEMENT WITH PROBATION DEPARTMENT WITH THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mr. Hammond presented the following:

WHEREAS, the placement costs for youth are increasing and community-based services are needed, and

WHEREAS, the PINS legislation has changed the relative roles and responsibilities of the Wayne County Probation Department as the lead agency for PINS; and

WHEREAS, the Wayne County Probation Department has developed an intensive school-based oversight and decision process; and

WHEREAS, this process is preventive in nature, designed to prevent placement of youth (individuals on probation/siblings and friends of those youth/school-identified at-risk youth) outside of their homes at significant county expense; now, therefore, be it

RESOLVED, that the Commissioner of Social Services is hereby authorized to enter into an agreement, subject to the review of the County Attorney, for the provision of Probation Services for the timeframe 1/1/10-12/31/10 at a cost not to exceed \$306,368.

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

RESOLUTION NO. 857-09: AUDIT OF CLAIMS – November 17, 2009

Mr. Lyon presented the following:

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

RESOLVED, that the following Claims totaling **\$ 3,671,814.01** are hereby approved for payment and the Treasurer is hereby authorized and directed to make payment of the same:

1. A Fund	\$	2,856,053.21
2. D Fund	\$	364,214.64
3. DM Fund	\$	86,646.80
4. E Fund	\$	226,422.24
5. H Fund	\$	82,667.94
6. MS Fund	\$	32,464.80
7. S Fund	\$	23,344.38
Warrant Total	\$	3,671,814.01

and be it further

RESOLVED, that the following utilities totaling **\$58,468.70**, processed pursuant to Resolution No. 176-78, are hereby ratified:

1. A Fund	\$	35,092.01
2. DM Fund	\$	1,844.75
3. E Fund	\$	21,531.94
Utility Total	\$	58,468.70

and be it further

RESOLVED, that miscellaneous disbursement checks were processed for the following County Departments, totaling **\$ 618,081.85** are hereby ratified:

1. Nursing Home	\$	126,594.00
2. Sheriff-Misc.	\$	1,568.00
3. Sheriff-Pistol Permits	\$	2,544.75
4. Social Services	\$	297,406.77
5. County Attorney	\$	15,000.00

6. WBHN	\$	89.10
7. Public Health	\$	389.00
8. Workers' Comp	\$	<u>174,490.23</u>
Misc. Disbursements Total	\$	618,081.85

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

RESOLUTION NO. 858-09: AUTHORIZATION TO PURCHASE PANIC ALARM SYSTEMS FOR CERTAIN COUNTY OFFICE BUILDINGS

Mr. LeRoy presented the following:

WHEREAS, we have three existing panic systems that are in need of replacement at 9 Pearl Street, 16 William Street and 77 Water Street, and

WHEREAS, three prices have been obtained as follows:

Finger Lakes Security Systems	\$	8,291.26
Innovative Solutions Corporation	\$	10,317.22
Simplex-Grinnell	\$	11,858.00

now, therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to purchase the three panic alarm systems from Finger Lakes Security Systems at a total cost of \$ 8,291.26; and be it further

RESOLVED, that the Treasurer is hereby authorized to transfer the following funds:

A1615-BUILDINGS AND GROUNDS:

\$ 8,291.26 to .52500 Other Equipment
\$ 8,291.26 from .54210

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

RESOLUTION NO. 859-09: AUTHORIZATION TO PAY ENVIRONMENTAL PROTECTION AGENCY PENALTY

Mr. LeRoy presented the following:

WHEREAS, the EPA visited the Highway garage in August 2008 to inspect all fuel facilities and underground storage tanks, and as a result of the visit a fine of \$2050 was issued as penalty for the violations; and

WHEREAS, the County Attorney has advised that the county should pay the specified penalty; and

WHEREAS all of the violations noted have been corrected and a written response has been submitted to EPA; now, therefore, be it

RESOLVED, that the Treasurer is authorized to pay the fine of \$2050 from D51104.54407; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors subject to the approval of the County Attorney is hereby authorized to execute a settlement agreement/compliance order with the US Environmental Protection Agency

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

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

RESOLUTION NO. 860-09: AUTHORIZATION TO PURCHASE ADVERTISEMENT SPACE FOR A PAID AD AND AN H1N1 HOTLINE

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) would like to place a full page ad in each Penny Saver and the Wolcott Shopper and establish a H1N1 Hotline to mass dispense an educational message to Wayne County residents regarding the signs and symptoms of

H1N1; what symptoms would require further medical attention, and to announce a newly established H1N1 Hotline; and

WHEREAS, WCPH will purchase a full page ad from the Messenger Post Media for each Penny Saver and the Wolcott Shopper at a cost not to exceed \$1,867.03; and

WHEREAS, WCPH would like to establish an H1N1 Hotline from the Asher Group at a cost not to exceed \$3,000 for 10,000 minutes; now, therefore, be it

RESOLVED, that the Director of WCPH is hereby authorized to purchase a full page ad for each Penny Saver and the Wolcott Shopper from the Messenger Post Media, 628 East Main St, Suite C, Palmyra, NY 14522, at a cost not to exceed \$1,867.03; now, therefore, be it

RESOLVED, that the Director of WCPH is hereby authorized to establish an H1N1 Hotline from the Asher Group, 3300 Monroe Ave, Suite 317, Rochester, NY 14618, at a cost not to exceed \$3,000 from Account A40114.54444.

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

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

RESOLUTION NO. 861-09: AUTHORIZATION TO CONTRACT WITH REGISTERED NURSE TO ASSIST WITH H1N1 CLINICS

Ms. Park presented the following:

WHEREAS, Wayne County Public Health (WCPH) will be conducting several H1N1 influenza clinics in the fall of 2009 through the spring of 2010; and

WHEREAS, WCPH would like to contract with Laura Boss RN, at \$26.40 per hour, to attend H1N1 planning meetings and to work H1N1 clinics from November 1, 2009 till April 30, 2010; and

WHEREAS, Ms. Boss will be responsible for assisting with setting up and tearing down clinics and to assess clients for risk factors and administer the H1N1 vaccine to identified clients; and

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

RESOLVED, the Chairman of Board of Supervisors is hereby authorized to execute a contract with Laura Boss, 1464 Willowdale Drive, Macedon, NY 14502, to assist with planning and/or implementation of H1N1 clinics from November 1, 2009 till April 30, 2010 at a rate of \$26.40 per hour worked, not to exceed \$15,840, with approval from the County Attorney as to content and form.

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

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

Mr. Lauderdale moved, seconded by Mr. Spickerman, that the Board amend the resolution by removing both WHEREAS clauses. Motion withdrawn.

The Chairman requested the Board to take a short recess at 10:54 a.m.

The Board resumed regular session at 10:25 a.m.

After several discussions took place and prior to voting, there was a majority of members that agreed to revise the original resolution.

Mrs. Collier moved, seconded by Mr. Fabino that the amended resolution be presented in

as follows. Motion carried.

RESOLUTION NO. 862-09: SETTING DATE FOR PUBLIC HEARING ON PROPOSED LOCAL LAW AMENDING LOCAL LAW NO.7-89, AS AMENDED BY LOCAL LAW NO. 3-91 ESTABLISHING A PLAN FOR THE MANAGEMENT OF SOLID WASTE GENERATED OR ORIGINATED IN THE COUNTY OF WAYNE

Mr. Spickerman presented the following:

WHEREAS, the Board of Supervisors seeks public input on the possible change from its current recycling program to privatization to require the collection of recycling by private haulers in Wayne County as a condition of their license to collect municipal solid waste; now, therefore be it

RESOLVED, pursuant to Section 20 of the Municipal Home Rule Law of the State of New York, that a public hearing on the proposed local law set forth below shall be held by the Board of Supervisors on Wednesday, December 9, 2009 at 7:00 p.m. in the Supervisors' Chambers in the County Court House, Lyons, New York; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to give at least five days notice of such hearing by posting such notice upon the bulletin board at the Court House, Lyons, New York, and by publishing such notice at least once in the official newspapers of the County.

SOLID WASTE MANAGEMENT LAW

A local law amending Local Law No. 7-89 as amended by Local Law No. 3-91 establishing a plan for the Management of Solid Waste generated or originated in the County of Wayne.

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

SECTION 1: Section II of Local Law No. 7-89 as amended by Local Law No. 3-91 is amended to read as follows:

Section II. Purposes

This law is adopted pursuant to Chapter 627 of the Laws of 1986 of the State of New York to:

- A. Implement a plan for the management of solid waste generated or originated in the County of Wayne, to promote the safety, health and well-being of persons and property within the County of Wayne; and to
- B. Implement the express policy of the State of New York authorizing the County of Wayne to impose appropriate and reasonable limitations on competition to require that all solid waste generated or originated within the County's boundaries, subject to such exceptions as may be determined to be in the public interest, shall be delivered to a specified facility or facilities; and to
- C. Implement the express policy of the State of New York encouraging solid waste volume reduction through recycling.

SECTION 2: Section III of Local Law No. 7-89 as amended by Local Law No. 3-91 is amended to read as follows:

Section III. Definitions

Acceptable Solid Waste means all solid waste which is not hazardous waste, designated recyclable material or unprocessable waste.

Board of Supervisors means the Board of Supervisors of the County of Wayne.

County means the County of Wayne.

Designated Recyclable Materials means recyclable materials designated for source separation by rules and regulations promulgated pursuant to Section IV(A)(2) of this law.

Facility means any solid waste management-resource recovery facility employed beyond the initial solid waste collection process which is to be used, occupied or employed for or is incidental to the receiving, transporting, storage, processing, or disposal of solid waste or the recovery by any means of any material or energy product or resource there from including recycling centers, transfer stations, processing systems, resource recovery facilities, sanitary landfills, plants and facilities for composting or land spreading of solid waste, secure land burial facilities, reprocessing and recycling facilities, surface impoundments and waste oil storage, incinerators, and other solid waste disposal, reduction or conversion facilities.

Hazardous Waste means:

1. Waste which appears on the list of hazardous waste promulgated by the Commissioner of the Department of Environmental Conservation pursuant to Section 27-0903 of the Environmental Conservation Law and the regulations thereunder or waste which exhibits any of the characteristics of hazardous waste identified in 6 N.Y.C.R.R. §371.3.
2. Special nuclear or by-product material within the meaning of the Atomic Energy Act of 1954, as amended.

Person means any natural person, partnership, association, joint venture, corporation, estate, trust, county, city, town, village, improvement district, governmental entity or other legal entity.

Recyclable Materials means solid waste which can be recycled.

Recycling or Recycled means any method, technique or process utilized to separate, process, modify, convert, treat or otherwise prepare solid waste so that its component materials or substances may be beneficially used or reused as raw materials.

Solid Waste means all putrescible and non-putrescible solid wastes generated or originated within the County, including, but not limited to, materials, or substances discarded or rejected, whether as being spent, useless, worthless or in excess to the owners at the time of such discard or rejection or for any other reason, or are being accumulated, stored, or physically, chemically or biologically treated prior to being discarded, have served their intended use, or are a manufacturing by-product, including, but not limited to, garbage, refuse, and other discarded solid materials, including solid waste materials resulting from industrial, commercial and agricultural operations and from community activities, sludges from air or water pollution control facilities or water supply treatment facilities, rubbish, ashes, contained gaseous material, incinerator residue, demolition and construction debris or offal, but not including sewage and other highly diluted water-carried materials or substances and those in gaseous form, or hazardous waste as defined in this law.

Solid Waste Volume Reduction Program includes source separation, recycling programs, changes to the packaging portion of the waste stream to reduce solid waste generated, the activities and enterprises of scrap dealers, processors and consumers and other programs designed to reduce the volume of solid waste or enhance reclamation and recovery of materials.

For purposes of this paragraph, such volume reduction programs shall not include the processing of waste for incineration or disposal by other means.

Source Separation means the segregation of recyclable materials for solid waste at the point of

generation for separate collection, sale or other disposition.

Specified Facility or Facilities means a facility or facilities for certain solid waste specified in the rules and regulations promulgated pursuant to Section IV(A) of this law.

Unprocessable Waste means (a) dirt, concrete and other non-burnable construction material and demolition debris; (b) refrigerators, washing machines and similar "white goods"; (c) large items of machinery and equipment, such as motor vehicles and major components thereof (e.g., transmissions, rear ends, springs and fenders), agricultural equipment, trailers and marine vessels, or any other item of waste exceeding six feet in any one of its dimensions; and (d) liquid waste, large concentrations of plastics other than PET and HPDE containers, explosives, oil, sludges, highly inflammable substances, tires, ashes, contained gaseous materials, incinerator residue, and offal.

SECTION 3: Section IV of Local Law No. 7-89 as amended by Local Law No. 3-91 is amended to read as follows:

Section IV. Powers of the Board of Supervisors/Delegation of Powers

- A. The Board of Supervisors is authorized and empowered to:
1. Promulgate and publish rules and regulations from time to time which:
 - a. aid in identifying and defining categories of solid waste, including acceptable solid waste, recyclable materials and unprocessable solid waste;
 - b. specify one or more facilities to which all acceptable solid waste generated or originated in the County shall be delivered;
 - c. specify one or more facilities to which designated recyclable materials may be delivered, subject to such exceptions as the Board of Supervisors may determine to be in the public interest;
 - d. direct that acceptable solid waste generated or originated within the County be delivered to or disposed of only at one or more specified facilities; and
 - e. prohibit delivery to or disposal of a category of solid waste generated or originated within the County at one or more specified facilities.

In promulgating such rules and regulations, the Board of Supervisors or its designee shall consider the capacity, handling, disposal and marketing capabilities of available facilities, the geographical location of facilities and such other factors as will enable the Board of Supervisors or its designee to determine that the public interest is served by the rule of regulation.

2. Promulgate and publish rules and regulations for a program to implement source separation of recyclable materials and encourage solid waste volume reduction and to maximize the opportunity for the reclamation and recovery of materials. These rules and regulations shall designate recyclable materials to be source separated and prescribe methods of source separation, and may reflect local differences in population density, accessibility and capacity of markets and facilities, collection practices and waste composition. In promulgating such rules and regulations, the Board of Supervisors or its designee shall also consider other on going, proposed or reasonably anticipated future solid waste volume reduction programs and shall not interfere with them.
3. Approve, deny, suspend or revoke Solid Waste licenses or subject a license holder to reprimand, as provided in Section VI.
4. Promulgate, Revise, amend, and publish rules, regulations, and orders necessary to carry out the purposes of this law.

SECTION 4: Section V of Local Law No. 7-89 as amended by Local Law No. 3-91 is amended to

read as follows:

Section V. Waste Delivery and Disposal: Source Separation

A. Subject to promulgation of applicable rules and regulations pursuant to Section IV(A) of this local law, all acceptable solid waste generated or originated within the County shall be disposed of as follows:

1. All acceptable solid waste generated or originated within the County must be delivered to a specified facility; and
2. No facility shall receive acceptable solid waste generated or originated within the County except as permitted under this law.

B. Disposal of solid waste which is barred from all specified facilities by rules, regulations or orders promulgated pursuant to Section IV of this law, shall not otherwise be regulated by this law.

C. No hazardous waste may be delivered to a specified facility.

D. Designated recyclable materials shall not be commingled with other solid waste, and shall be handled as follows:

1. Prior to initial collection or transport, designated recyclable materials shall be separated, prepared, and set out for collection as provided in the rules and regulations promulgated pursuant to IV of this law.
2. Designated recyclable materials shall not be commingled with other solid waste during collection, transportation or storage following collection. The Board of Supervisors or its designee may order such exceptions as they may reasonable determine to be in the public interest.

E. Any recyclable materials generated or originated in the County may be delivered to a solid waste volume reduction program. All designated recyclable materials must be delivered to either a solid waste volume reduction program or a specified facility.

F. Each commercial and residential waster generator in the County shall provide for the removal of recyclables from the property on which they are generated either through a service provided by the municipality; or a private hauler; or by direct haul by the individual waste generator to a disposal location permitted by law.

G. No person shall dispose of solid waste along the roadside or on public or private property within the County, unless the owner of the property has given his consent, in which case the property owner assumes responsibility for proper disposal of the material.

SECTION 5: Section VI of Local Law No. 7-89 as amended by Local Law No. 3-91 is amended to read as follows:

Section VI. License Requirement

A. Except as otherwise provided in this Section VI or in the rules and regulations promulgated pursuant to Section IV of this law, No person may engage in the business of collecting, transporting or handling solid waste generated or originated within the County without a solid waste license issued by the Board of Supervisors or its designee pursuant to this law, provided that only persons who collect, transport or handle solid waste for compensation shall be required to obtain a solid waste license.

B. No person engaged solely in recycling or a solid waste volume reduction program shall be

required to obtain a solid waste license.

- C. All applications for licenses or renewal of licenses shall be in writing, on a permit application form provided by the County and shall contain such information as required by the rules and regulations promulgated pursuant to this law and shall be verified by the applicant.
- D. This form shall contain or be accompanied by, at a minimum, the following information and items:
 - 1. Name of applicant, street address, and mailing address of principal place of business. Person or persons desiring a permit shall explain ownership interest. Partnerships, corporations or other business entities shall furnish names and mailing addresses of principal owners, officers, managers and supervisors who will be in charge of the operations within the County.
 - 2. A full description of all collection vehicles and equipment owned, leased, or controlled by the applicant which will be used in the collection, transportation and/or disposal of solid waste and/or recyclable generated, originated or brought within the County.
 - 3. Detailed listings of any previous or existing enforcement actions by any environmental regulatory agency for violations of rules relating to solid waste and/or recyclable handling, transport or disposal.
 - 4. A signed letter of certification, that the applicant has read and is familiar with the terms and conditions of the permit and the provisions of this Local Law; including the Recycling Rules and Regulations (Appendix I) and the Permit Rules and Regulations (Appendix II) that the applicant agrees to operate in accordance with such terms and conditions in the event a permit is issued, and that all the information provided by the applicant is factual.
 - 5. A signed letter of certification of ultimate disposal sites for recyclable materials as well as solid waste.
- E. Within ten days of receipt of the properly completed and signed application, the Board of Supervisors or its designee shall either issue a license or inform the applicant in that the license applied for has been denied with an explanation for the denial. The decision shall be sent to the applicant by certified mail.
- F.
 - 1. When the Board of Supervisors or its designees determines that a failure to comply with a solid waste license conditions in Section VII(B) of this law may have occurred it shall recommend to the Board of Supervisors or its designee that the solid waste license application be granted with conditions or denied, or the existing solid waste license be granted with conditions, suspended, revoked or its holder subjected to a reprimand. Notice and an opportunity to be heard shall be provided prior to the denial of a solid waste license application, the suspension or revocation of a solid waste license, or the issuance of a reprimand.
 - 2. The Board of Supervisors or its designee shall notify the affected solid waste license applicant or licensee of the alleged failure in writing. The notice shall include:
 - a. a statement of time, place, and nature of the hearing;
 - b. a statement of the solid waste license condition allegedly violated, referring to the pertinent law, rule or regulation; and
 - c. a short and plain statement of the alleged misconduct.The notice shall be personally served or sent by registered mail to the applicant or licensee's last known address.
 - 3. Hearings
 - a. Hearings shall be held before the Board of Supervisors or its designee within a reasonable period, which shall be at least ten (10) days after the service of the notice.
 - b. The applicant or licensee may be represented by counsel at the hearing, and may

offer evidence and cross-examine witnesses.

c. Within twenty (20) days after the close of the hearing, the Board of Supervisors or its designee shall:

- i. determine whether the alleged failure to comply with a solid waste license condition has occurred; and
- ii. if it is determined that such a failure has occurred, decide whether the solid waste license application shall be denied, or an existing solid waste license shall be suspended, revoked, or its holder subjected to a reprimand; and issue an order carrying out its decisions; and
- iii. if it is determined that such a failure has not occurred, the Board of Supervisors or its designee shall approve the issuance of a solid waste license.

4. Determination, Decisions and Orders.
 - a. Disposition may be made by stipulation, agreed settlement, consent order, default or other informal method.
 - b. A final determination, decision or order adverse to a party shall be in writing and shall include a statement of facts and reasons supporting the determination, decision or order.
5. The Board of Supervisors or its designee shall promptly notify the applicant or licensee in writing of its final determination, decision or order. Such determination, decision or order shall become effective fifteen (15) days after the date of service or mailing.
6. Renewal licenses shall be applied for and issued in the same manner and subject to the same requirements as original licenses, and also shall be subject to any additional requirements in effect at the time of application for renewal. A complete and timely submitted application for renewal shall result in the applicant's existing license remaining in effect until the renewal application is acted upon by the Board of Supervisors or its designee.
7. Failure to pay fees and charges as established from time to time shall constitute a violation of this law.

SECTION 6: Section VII of Local Law No. 7-89 as amended by Local Law No. 3-91 is amended to read as follows:

Section VII. Issuance and Conditions of Solid Waste License

- A. Solid Waste License Issuance
 1. Solid waste licenses must be obtained and renewed annually from the County.
 2. The solid waste license fee for each vehicle used to collect or transport solid waste by or on behalf of the licensee shall be established by resolution of the Board of Supervisors.
 3. A solid waste license sticker shall be prominently displayed on each vehicle operated by or on behalf of the licensee as provided by the rules and regulations.
- B. Conditions of Solid Waste License
Solid waste licenses and renewals shall be subject to the following conditions:
 1. All licensees must comply with this law and the rules, regulations, and orders promulgated pursuant to this law.
 2. All licensees, as a term and condition of being issued a solid waste license, shall agree to defend, indemnify and hold harmless the County of Wayne for any pending, threatened or actual claims, liability or expenses arising from waste disposal by the licensee in violation of this law.
 3. All Waste Haulers in the County shall offer or cause to be offered to their customers collection, transportation and service for Recyclables to the same extent any such waste hauler offers collection, transportation and disposal services for solid waste.
 4. All Waste Haulers must maintain all records and supply the Board of Supervisors or its designee with a quarterly report of its activities. Such quarterly report shall include:

the tonnage of Solid Waste collected in the County and the dates collected in the County; the location of disposal of Solid Waste collected in the County; the tonnage of Recyclables collected in the County and the dates collected; and the market(s) for the Recyclables collected in the County.

5. Quarterly reports shall be provided no later than thirty (30) days after the end of the quarter with the first quarter being January, February and March; the second quarter being April, May and June; the third quarter being July, August and September; and the fourth quarter being October, November and December.

SECTION 7: Section IX of Local Law No. 7-89 as amended by Local Law No. 3-91 is amended to read as follows:

Section IX. Civil remedies: Criminal Penalties

A. Civil Remedies

The County may commence a civil action to enjoin or otherwise remedy any failure to comply with this law or the rules, regulations and orders promulgated pursuant to this law.

B. Criminal Penalties

1. Failure to comply with the rules and regulations promulgated pursuant to Section IV(A) subparagraphs 1 and 2 of this law or with the provisions of Section V(D)(1) of this local law shall be a violation as defined in Section 55.10 of the Penal Law. Any person convicted of such a violation shall be liable for:
 - a. A fine of \$25.00 for the first conviction;
 - b. A fine of \$50.00 for the second conviction
 - c. A fine of \$100.00 for the third conviction
 - d. fine of \$250.00 for the fourth conviction and each succeeding conviction; or
 - e. Imprisonment for a term not to exceed fifteen days.

Each day such violation occurs or continues shall constitute a separate offense.

2. Failure to comply with Sections V(A), V(C), V(D)(2) V(E), VI(A) of this local law shall be a violation as defined in Section 55.10 of the Penal Law. Any person convicted of such a violation shall be liable for:
 - a. A fine of \$250.00 for the first conviction;
 - b. A fine of \$500.00 for the second conviction and each succeeding conviction; or
 - c. Imprisonment for a term not to exceed fifteen days.

Each day such violation occurs or continues shall constitute a separate offense.

- C. Any penalties or damages recovered or imposed under this law are in addition to any other remedies available at law or equity.

SECTION 8: Section X of Local Law No. 7-89 as amended by Local Law No. 3-91 is repealed in its entirety.

SECTION 9: Section XI of Local Law No. 7-89 as amended by Local Law No. 3-91 is renumbered section X.

SECTION 10: Section XII of Local Law No. 7-89 as amended by Local Law No. 3-91 is renumbered section XI.

SECTION 11: Section XIII of Local Law No. 7-89 as amended by Local Law No. 3-91 is repealed and replaced with a new Section XII which reads as follows:

Section XII: Effective Date

The provisions of this Law shall become effective on July 1, 2010. The Clerk of the Board of Supervisors shall give notice of the effective date of this local law by publishing notice thereof at least once in the official newspapers of the County, not less than thirty (30) days prior to said effective date.

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

EXECUTIVE SESSION: Mr. Lyon moved, seconded by Mr. Plant that the Board go into Executive Session at 11:30 a.m. to discuss a personnel issue. Upon roll call, carried.

REGULAR SESSION: Mr. Fabino moved, seconded by Mr. Colacino that the Board resume regular session at 11:40 a.m. Carried.

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

RESOLUTION NO. 863-09: AUTHORIZATION TO APPOINT THE COUNTY AUDITOR AND ESTABLISH THE SALARY FOR THE POSITION

Mr. Lyon presented the following:

WHEREAS, Resolution No. 311-09 authorized the position of County Auditor be created with a term that runs concurrent with the Board of Supervisors; and

WHEREAS, Resolution No. 312-09 appointed a Selection Committee and authorized the Human Resources Department to advertise the position; and

WHEREAS, Resolution 593-09 authorized advertising a salary for the position of County Auditor of up to \$65,000; and

WHEREAS, the Selection Committee of the Wayne County Board of Supervisors has interviewed applicants and recommends Linda D. Harissis to fill the position of County Auditor; now, therefore, be it

RESOLVED, that Linda Harissis be appointed as County Auditor for the term of expiring December 31, 2009 effective December 7, 2009 at an annual salary of \$65,000; and be it further RESOLVED, that such appointment is not subject to a probationary term.

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

ADJOURNMENT:

The next scheduled meeting of the Board is Tuesday, November 24, 2009 at 9:00 a.m.

Ms. Park moved, seconded by Mr. Colacino, that the board adjourn at 11:45 a.m. Carried.

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