

10th Day
Tuesday, June 16, 2009
7:00 p.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, except Supervisor Plant who was absent. County Administrator James Marquette and County Attorney Daniel Wyner were also present.

APPROVAL OF MINUTES:

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

SUMMARY OF CLAIMS BY COMMITTEE:

Committee No. 1 Finance

A13254	Treasurer	241.06
A13554	Assessment - Real Property Tax	305.07
A13644	Expenses on Prop Acquired For	49.50
A16802	Information Technology	1,134.78
A16804	Information Technology	16,333.45
A19304	Judgments & Claims	32,155.79
A24904	Community College	140,001.88
H19082	FMS System Update	227.42
H19332	Building Renovation Project	31,559.67
H19392	Route 31 Complex	<u>4,169.37</u>
		\$ 226,177.99

Committee No. 2 Public Safety

A11652	District Attorney	999.00
A11654	District Attorney	5,573.61
A11674	Crimes Victims Board Grants	30.60
A11702	Public Defender	411.95
A11724	Legal Defense of Indigents	50,382.34
A11734	Wayne Pre-Trial Services, Inc.	9,219.92
A11854	Coroner	6,998.70
A11904	Grand Jury	1,959.90
A31102	Sheriff	565.43
A31104	Sheriff	2,275.92
A31112	Sheriff - Recreational Safety	1,294.00
A31114	Sheriff - Recreational Safety	168.88
A31124	Sheriff - Civil Office	1,207.75
A31142	Sheriff - Road Patrol	152,783.56
A31144	Sheriff - Road Patrol	5,004.46
A31152	Sheriff - Detective Unit	21,034.00
A31154	Sheriff - Detective Unit	1,271.68
A31164	Sheriff - Court Security	206.70
A31404	Probation	5,756.87
A31504	Sheriff - Jail	35,991.62
A31704	Other Correctional Agencies	11,500.00

A33154	Stop DWI	3,333.18
A34104	Mutual Aid (Fire Coordinator)	420.64
A36404	Emergency Management Office	1,256.08
A36424	E911 Communications	5,170.04
A36444	ALS Services	<u>9,007.70</u>
		\$ 333,824.53
Committee No. 3 Public Works		
A16150	Buildings & Grounds	95.00
A16152	Buildings & Grounds	999.00
A16154	Buildings & Grounds	63,474.29
A16404	Central Garage	10,638.41
A87304	Soil Conservation	3,482.56
D50104	Highway Administration	819.07
D50204	Highway Engineering	428.46
D51104	Maintenance of Roads & Bridges	112,635.10
D51114	Road Striping & Sign Maint	26,873.02
D51122	Road Construction	246,401.77
D51424	Snow Removal - County	3,285.45
DM51304	Road Machinery	<u>79,829.31</u>
		\$ 548,961.44
Committee No. 4 Economic Development & Planning		
A64104	Publicity (Tourism)	1,217.62
A64114	Tourism Matching Funds Program	14,189.52
A80204	Planning Board	446.38
H59022	Amtrak Station	<u>3,848.60</u>
		\$ 19,702.12
Committee No. 5 Government Operations		
A10104	Legislative Board	284.77
A10404	Clerk Legislative Board	135.82
A12304	County Administration	1,701.98
A14102	County Clerk	98,854.00
A14104	County Clerk	30,172.37
A14204	County Attorney	2,295.35
A14304	Human Resources	353.59
A14314	Cafeteria Plan	1,431.75
A14502	Board of Elections	89.34
A14504	Board of Elections	1,999.14
A16714	Printing Department	1,133.56
A75104	County Historian	190.00
A75204	Historical Society	16,200.00
MS17104	Administrative Fees	67,874.32
S17104	Workers' Comp	<u>22,688.00</u>
		\$ 245,403.99
Committee No. 6 Health & Medical Services		
A40102	Public Health	462.00
A40104	Public Health	5,366.03
A40114	Public Health Service	28,326.82
A40164	PH - Early Intervention 0-1	131,131.07
A40174	PH - Child w/Spec Needs 3-5	622,129.91
A40184	Public Health Education	4,144.60
A40192	Wayne Community Nursing Care	391.80
A40194	Wayne Community Nursing Care	32,647.26
A40204	PH - EMS Coordinator	255.75
A43004	Behavioral Health	128,007.79

A43224	Community Providers	46,534.00
E60002	NH Combined	307.91
E60004	NH Combined	<u>282,654.95</u>
		\$ 1,282,359.89

Committee No. 7 Human Services

A60102	Administration	1,927.54
A60104	Administration	70,038.97
A60704	Purchase of Services	4,320.02
A61094	Family Assistance	200.00
A61234	Juv Delinquent Care	29,725.00
A61294	State Training School	16,267.96
A61404	Safety Net	560.00
A62114	Title V Senior Comm. Service	40.88
A62124	WFD/DSS Intensive Employment	1,157.04
A62144	Economic Opportunity & Develop	546.09
A62164	WFD-DSS TEAP	40.88
A62174	WFD-DSS WAGE SUBSIDY	205.52
A62894	WIA YOUTH STIMULUS FUNDS	12.41
A62934	WIA Adult	627.92
A62944	WIA Dislocated	1,288.76
A62954	WIA Youth	832.35
A62964	TANF Summer	606.04
A62994	WFD-Administration	40.88
A65104	Veteran Services	5,107.77
A67724	Area Agency on Aging	60,883.77
A73104	Youth Bureau	20,848.33
A73114	Youth Program - Recreation	<u>112.65</u>
		\$ 215,390.78

Warrant Total	\$ 2,871,820.74
During the Month Utilities	\$ 110,492.86
Miscellaneous Disbursements	\$ 157,703.87

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

COMMUNICATIONS:

The Clerk read the following:

The Sheriff's Report for the month of May 2009 in the amount of \$13,122.47 was received and filed.

A letter was received from the NYS Office of Parks, Recreation and Historic Preservation informing the Board of the recent nomination of Alasa Farms in the Town of Sodus to the National and State Registers of Historic Places.

A copy of a Notice of Public Hearing was received from the Wayne County Industrial Development Agency regarding the 2009 Real Estate Transfer of Prime Development Holdings, Inc.

The Board received copy of PILOT documentation for MJB Property Holdings, LLC/Legendary Auto Interiors, LTD Facility.

The Board received copy of PILOT documentation for Marshall Farms Group, LTD 2009 Facility.

A copy of the minutes from the June 3, 2009 Finger Lakes Veterans Advisory Committee for the VA Medical Center was received and filed.

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

BIDS:

- Buildings and Grounds
 - Installation of Ballistic Windows and Barrier Systems
 - Sheriff's Department
 - Installation of Closed Circuit Television System
- Mrs. Bender moved, seconded by Mr. Fabino, that the bids be referred to the appropriate committees for review. Upon roll call, carried.

ANNUAL REPORTS:

- Western Finger Lakes Solid Waste Management Authority Management Letter for 2008
 - Western Finger Lakes Solid Waste Management Authority 2008 Basic Financial
- Mrs. Collier moved, seconded by Mr. Kelsch, that all reports be received and filed. Upon roll call, carried.

PRIVILEGE OF THE FLOOR:

Chairman Hoffman opened the floor at this time for members of the public to address the Board of Supervisors on items listed on the agenda for action.

Mr. John Sorbello, Vice President of the Wayne County Farm Bureau, requested to address the Board regarding the resolution for on the Agenda to tonight.

On behalf of the Wayne County Farm Bureau, Mr. Sorbello would like to request the board to support their efforts in opposing NYS Senate Bill 2247, Assembly Bill 1867 Overtime Provisions of Senate Bill 5212, amending the Labor Law as it pertains to the agricultural industry, as it would place additional financial burdens and be detrimental to the NYS Agricultural Industry.

RESOLUTION NO. 394-09: LICENSE AGREEMENT FOR YELLOW JACKET RACING TO HOST A TRIATHLON IN SODUS POINT PARK

Mr. Hammond presented the following:

WHEREAS, Yellow Jacket Racing has requested the use of Sodus Point Park for the staging of a triathlon on Sunday, August 16, 2009, and

WHEREAS, Yellow Jacket Racing will cover the cost of additional lifeguard coverage during the event and provide the liability insurance required by Wayne County, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors sign a license agreement, subject to the County Attorney's approval as to form and content, with Yellow Jacket Racing for the purposes of staging a Triathlon Event on August 16, 2009 based out of the Sodus Point Park.

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

RESOLUTION NO. 395-09: AUTHORIZE MEMORANDUM OF UNDERSTANDING WITH WAYNE COUNTY DEPARTMENT OF PROBATION AND CORRECTIONAL ALTERNATIVES FOR COOPERATIVE DIVERSION PROCEDURES WITH THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mr. Hammond presented the following:

WHEREAS, New York State requires the designation of a lead agency for the PINS process; and

WHEREAS, the Wayne County Probation Department has acted in this capacity for the past few years; and

WHEREAS, there needs to be in place specified procedures for the PINS population; therefore be it

RESOLVED, that the Commissioner of the Wayne County Department of Social Services is hereby authorized to sign a Memorandum of Understanding for Cooperative Diversion Procedures between the Wayne County Department of Probation and Correctional Alternatives

and the Wayne County Department of Social Services for the time period 7/1/09 – 6/30/10.
Mr. Fabino moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

RESOLUTION NO. 396-09: AUTHORIZATION TO SIGN AGREEMENTS WITH CHILD CARING INSTITUTIONS FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mr. Hammond presented the following:

WHEREAS, the Wayne County Department of Social Services (DSS) needs to place children in child caring institutions, at times, to promote their health and safety; and

WHEREAS, payment for these services is not determined by the county but is dictated by New York State; and

WHEREAS, it has been the practice of DSS to have in place contracts with various child caring institutions to facilitate a child's placement on a timely basis; therefore be it

RESOLVED, that the Commissioner of the Wayne County Department of Social Services is hereby authorized to execute agreements with authorized agencies for the time frame 7/1/09-6/30/10 for the purchase of foster care for children, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 397-09: AUTHORIZATION TO PURCHASE EQUIPMENT AND AMEND DSS 2009 COUNTY BUDGET

Mr. Hammond presented the following:

WHEREAS, the Wayne County Department of Social Services has been informed that they have been approved to purchase \$5,991 worth of computer and other equipment for the purpose of streamlining the Food Stamp application process utilizing 100% reimbursed Office of Temporary and Disability Assistance (OTDA) funds; and

WHEREAS, said funds have been approved through the OTDA approval process for this purchase; now therefore be it

RESOLVED, that the Commissioner of Social Services is hereby authorized to purchase five (5) laptop computers with service packs, two (2) portable scanners, two (2) portable printers, one (1) HD flat screen 42" TV with DVD player, one (1) TV wall mount, one (1) anti-fatigue floor mat; and be it further

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

A6010 – DSS Administration

\$5,609.81 to .44610 DSS Revenue

\$1,014.85 to .52200 Office Equipment

\$4,594.96 to .52201 Computer Equipment

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

RESOLUTION NO. 398-09: AUTHORIZE DSS TO APPLY FOR FUNDS AND CREATE POSITIONS FOR WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES

Mr. Hammond presented the following:

WHEREAS, New York State Office of Children and Family Services (OCFS) has made available funds to reimburse counties at 100% for additional Child Protective Services (CPS) workers; and

WHEREAS, New York State OCFS is strongly recommending that CPS workers carry no more than 12 cases as an active caseload; and

WHEREAS, in 2008 Wayne DSS caseworkers averaged 17 cases per worker and an addition of 3 CPS workers would bring that average to 12.6 cases per workers; and

WHEREAS, there has been a 25% increase in CPS reports between 2005 and 2008

while the caseworker staff has remained steady at 11 workers; and

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

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to apply for \$116,441 in OCFS funds to pay 100% of the costs associated with hiring three (3) additional caseworkers during the period 7/1/09 – 3/31/10; and be it further

RESOLVED, that three caseworker positions will be created upon notification that the State of New York has authorized 100% funding for the positions and associated fringe benefit costs; and be it further

RESOLVED, that the positions shall cease to exist on March 31, 2010 unless the State of New York extends the funding level at 100%.

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

RESOLUTION NO. 399-09: AUTHORIZATION TO SIGN AGREEMENT WITH THE TERRACE AT NEWARK ASSISTED LIVING COMMUNITY

Mr. Hammond presented the following:

WHEREAS, a new assisted living facility, The Terrace at Newark Assisted Living Community, is scheduled to open in July 2009, and

WHEREAS, the facility will be accepting Medicaid-eligible, low-income residents, which is a significantly under-served population for these services; and

WHEREAS, New York State Department of Health requires that a contract be in place between the assisted living facility and Wayne County DSS as a condition of reimbursement, and

WHEREAS, the terms of the agreement, including rates to be reimbursed by New York State Department of Health are dictated by the State and are not subject to local option(s); therefore be it

RESOLVED, that the Commissioner of Social Services is hereby authorized to sign an agreement with The Terrace of Newark Assisted Living Community, subject to the review of the County Attorney, to allow reimbursement for services provided to Medicaid-eligible, low income residents of the facility.

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

RESOLUTION NO. 400-09: AUTHORIZATION TO CREATE FOUR (4) POSITIONS OF SUMMER YOUTH COUNSELOR PART-TIME AND FILL THE POSITIONS

Mr. Hammond presented the following:

WHEREAS, Work Force Development is requesting that four part-time summer youth counselor positions be created to deal with an anticipated increased work load as a result of the stimulus grant/budget and in the fact that said department will employ and supervise 100 youths this summer; and

WHEREAS, said part time summer youth counselors would provide services including but not limited to overseeing youth work sites for the summer, assisting youth counselors with data entry into the OSOS system, maintaining communication with work sites, handling work site problems, collecting bi-weekly youth time sheets, scheduling and organizing field trips, scheduling and organizing classroom learning projects, and producing a summer Wayne County Youth Newsletter; and

WHEREAS, said positions will be fully reimbursed by WIA and TANF funding; now, therefore, be it

RESOLVED, that four part time summer youth counselor positions are hereby created and that the Director of Workforce Development is hereby authorized to fill these positions.

Mrs. Collier moved the adoption of the resolution. Seconded by Mr. Kelsch. Upon roll call, all Supervisors voted Aye. Absent – Supervisor Plant. The Chairman declared the

Resolution adopted.

RESOLUTION NO. 401-09: AUTHORIZATION FOR THE CHAIRMAN OF THE BOARD TO SIGN WORKFORCE INVESTMENT ACT (WIA) STIMULUS YOUTH CONTRACT FOR THE PERIOD JUNE, 2009 – JUNE 30, 2010

Mr. Hammond presented the following:

WHEREAS, a new contract is required for the calendar year June 1, 2009–June 30, 2010 for WIA Stimulus youth contract; and

WHEREAS, authorization requesting to accept WIA Youth Stimulus funding in the amount of \$183,027 and amend the 2009 Stimulus Youth Workforce Investment budget (150,000) as programs are scheduled to begin on June 1st. These funds will be used for programs assisting individuals through the age of 24; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized, upon review and approval of the County Attorney, to enter into the following contracts with the Finger Lakes Workforce Investment Board for the period June 1, 2009 to June 30, 2010:

WIA Administration	\$3,547
WIA Adult	\$ 56,358
WIA Dislocated Worker	\$124,534
WIA Youth Program	\$80,006

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

RESOLUTION NO. 402-09: AUTHORIZATION TO RAISE THE MINIMUM WAGE PAID TO TITLE V PARTICIPANTS EFFECTIVE JULY 24, 2009

Mr. Hammond presented the following:

WHEREAS, minimum wage will increase to \$7.25 on July 24; and

WHEREAS, all participants in our programs must be paid at least minimum wage; now, therefore, be it

RESOLVED, that effective July 24, 2009, the wage for Title V participants will be \$7.25 per hour.

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

RESOLUTION NO. 403-09: AUTHORIZATION FOR THE CHAIRMAN OF THE BOARD TO SIGN WORKFORCE INVESTMENT ACT (WIA) REVISED YOUTH CONTRACT FOR THE PERIOD MAY 14, 2009 – JUNE 30, 2009

Mr. Hammond presented the following:

WHEREAS, A revision to the original WIA Youth contract (original resolution #393-08) is required for the period May 14, 2009–June 30, 2009 for WIA youth contract; and

WHEREAS. The budget and contract were approved by the Finger Lakes Workforce Investment Board held at their May 2009 Meeting with Executive signatures required in June 2009; now therefore be it

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized, upon review and approval of the County Attorney, to sign an amendment to the current contract with the Finger Lakes Workforce Investment Board for the period May 14, 2009 to June 30, 2009:

WIA current contract amount	\$80,006
Revised WIA Youth Program	\$92,922

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

RESOLUTION NO. 404-09: AUTHORIZATION FOR WAYNE BEHAVIORAL HEALTH NETWORK (WBHN) TO CREATE & FILL SUBSTANCE ABUSE COUNSELOR POSITION AND AMEND 2009 BUDGET

Ms. Park presented the following:

WHEREAS, WBHN is in need of additional resources for its staffing configuration and therefore is requesting to create an additional Substance Abuse Counselor position; and

WHEREAS, the need to make this change is necessary in order to conform with the New York State Office of Alcohol & Substance Abuse Services (OASAS) programming directives and also to meet increased demands for services from our community which have resulted in long-standing waiting times for treatment; and

WHEREAS, this position is essential in order to meet all of those demands as our present Substance Abuse Services Program staffing configuration is at full capacity; and

WHEREAS, this position will generate sufficient revenue to cover all expenses associated with it and will not require any additional county tax dollar contributions to support it; now, therefore, be it

RESOLVED, that the Director of WBHN and the Mental Health Department is authorized to create and hire one additional full-time Substance Abuse Counselor position and to amend the Mental Health Department 2009 Budget as follows:

A4300-BEHAVIORAL HEALTH

\$22,440.00 to .41613.M4120 Medicaid
\$ 1,560.00 to .41616.M4120 Self Pay
\$ 4,680.00 to .41620.M4120 Mental Health Fee's
\$19,772.00 to .51497.M4120 Substance Abuse Counselor
\$ 1,513.00 to .58100.M4120 Payments to NYS Retirement
\$ 1,977.00 to .58200.M4120 Payments to Social Security
\$ 5,340.00 to .58400.M4120 Hospitalization
\$ 78.00 to .58600.M4120 Disability

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

RESOLUTION NO. 405-09: AUTHORIZATION TO AMEND 2009 BUDGET FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, the Wayne County Nursing Home has budgeted \$300 for account E60004 – 54880 – E7380 (Social Workers In-service) for Fiscal Year 2009, and

WHEREAS, the Wayne County Nursing Home has budgeted \$75 for account E60004 – 54919 – E7380 (Social Workers Travel) for Fiscal Year 2009, and

WHEREAS, the required SCREEN certification for Social Workers has been updated, and

WHEREAS, the Social Workers at the Wayne County Nursing Home must attend this training to renew their certifications, and

WHEREAS, this was an unexpected expense for the current Fiscal Year, now therefore be it

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

E6000-NH COMBINED:

\$929.00 from E60004-54887-E8350
\$929.00 to E60004-54880-E7380
\$ 20.00 from E60004-54887-E8350
\$ 20.00 E60004-54919-E7380

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

RESOLUTION NO. 406-09: AUTHORIZATION TO PURCHASE EQUIPMENT FOR THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, an electric can opener must be purchased for the kitchen due to safety

issues; and

WHEREAS, the cost of the electric can opener is \$668.52; and

WHEREAS, this item was not previously included in the 2009 equipment addendum; and

WHEREAS, it has been determined that the conventional oven totaling \$2400 will not be purchased; and

now, therefore, be it

RESOLVED, that the Wayne County Nursing Home is authorized to purchase a can opener and will not purchase the conventional oven:

Electric Can Opener, 115 Volt	
Central Supply	619.00
Shipping and Handling	49.52
Total	\$668.52

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

RESOLUTION NO. 407-09: AUTHORIZATION TO EXECUTE TRANSFER AGREEMENT WITH THE TERRACE AT NEWARK ASSISTING LIVING

Ms. Park presented the following:

WHEREAS, The Terrace at Newark Assisted Living Community is scheduled to open in July 2009; and

WHEREAS, they will be providing adult care in Wayne County; and

WHEREAS, Wayne County Nursing Home and The Terrace at Newark are desirous to have a transfer agreement between them to promote the timely transfer of resident and resident information to provide the care most suited to the residents' needs; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to execute the agreement effective from July 1, 2009 to December 31, 2010 at no cost.

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

RESOLUTION NO. 408-09: AUTHORIZATION TO AMEND RESOLUTION NO. 362-95 AND ESTABLISH SALARY FOR GRADUATE NURSE AT THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, Resolution No. 362-95 was established in July 1995; and

WHEREAS, Section 6907 of the Education Law provides that upon the filing of an application for a license as a registered professional nurse, by a graduate of a school of nursing registered by the State Education Department, the Department may issue a limited permit entitling the applicant to practice nursing only under the supervision of a nurse currently registered in New York State and with the endorsement of the employing agency; and

WHEREAS, Section 6907 of the State Education Law also provides that graduates of schools of nursing registered by the Department may be employed to practice nursing under supervision of a professional nurse currently registered in New York State and with the endorsement of the employing agency for ninety days immediately following graduation from a program in nursing and pending receipt of a limited permit for which an application has been filed as provided in Section 6907; and

WHEREAS, requirements under Section 6907 for 2009 are the same; and

WHEREAS, the Wayne County Nursing Home is desirous of providing employment opportunities for three (3) graduate nurses in anticipation of retaining them when they become registered; now, therefore, be it

RESOLVED, that the hourly rate of \$20.00 be established effective June 15, 2009 for a Graduate Nurse appointed on a temporary basis to a Graduate Nurse position at the Wayne County Nursing Home for ninety days (90) pending receipt of a limited permit and for the term of the limited permit as provided by Section 6907 of the State Education Law; and be it further

RESOLVED, that three (3) GN temporary positions are hereby created at the Wayne County Nursing Home.

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

RESOLUTION NO. 409-09: AMEND RES. 257-09 AUTHORIZING CONTRACTS WITH PROVIDERS OF RELATED SERVICES FOR PRESCHOOL CHILDREN WITH HANDICAPPING CONDITIONS TO ADD THE FOLLOWING SERVICE PROVIDER

Ms. Park presented the following:

WHEREAS, the County must contract for the provision of related services for preschool-age children with handicapping conditions; and

WHEREAS, the following provider, Center for Autism & Related Services, Inc, wishes to contract with the County to provide related services for the Preschool Children with handicapping conditions; now, therefore, be it

RESOLVED, pursuant to Section 4410 of the Education Law, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract with Center for Autism & Related Services, Inc, subject to the County Attorney' approval as to form and content, for related services for preschool children with handicapping conditions for the period 7/1/09 – 6/30/11 in accordance with the rates approved by the Public Health Committee of the Board of Supervisors:

Center for Autism & Related Services:

Speech therapy, occupational therapy, parent counseling/training - \$56 / .5hr

2009 – 2010; \$57 / .5hr

2010 – 2011; 1:1 aide, teacher assistant - \$20/hr

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

RESOLUTION NO. 410-09: AUTHORIZATION TO PURCHASE EQUIPMENT FOR PUBLIC HEALTH HOME HEALTH AGENCY

Ms. Park presented the following:

WHEREAS, the 2009 budget addendum has \$1300.00 available in Dept. 40192.52201 (Home Health Agency) for the replacement of a laptop; and

WHEREAS, the Home Health Agency main printer is malfunctioning and needs replacement; and

WHEREAS, the Director of Public Health wishes to use the above mentioned funds to replace the printer, now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized and directed to purchase a printer at a cost to be determined by the IT department, not to exceed \$1,300.00.

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

RESOLUTION NO. 411-09: AUTHORIZATION TO CERTIFY AND SUBMIT THE 2009 AMENDED PUBLIC HEALTH STATE AID APPLICATION

Ms. Park presented the following:

WHEREAS, the NYS Dept. of Health requires an annual application for state aid be submitted based on the adopted 2009 budget, and

WHEREAS there have been several amendments to the adopted 2009 budget which requires the completion of an amended state aid application, and

WHEREAS, the application must be certified, now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to certify the amended 2009 state aid application, and be it, further

RESOLVED, that the Public Health Director is hereby authorized and directed to submit the 2009 amended application for state approval.

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

RESOLUTION NO. 412-09: AUTHORIZATION TO SIGN MEMORANDUM OF UNDERSTANDING WITH ABVI-GOODWILL'S 211/LIFELINE

Ms. Park presented the following:

WHEREAS, 211/Lifeline will provide simplified citizen access to specific Wayne County information on services available to Wayne County residents year round through the 211/Lifeline; and

WHEREAS, Wayne County will provide the 211/Lifeline updated and timely disaster information, referral and service information for the Wayne County agencies that wish to participate; and

WHEREAS, the 211/Lifeline will increase capacity to citizens to access quality information and referral services during and after a disaster through coordination with Wayne County; and, now therefore, be it

RESOLVED, the Chairman of the Wayne County Board of Supervisors is hereby authorized to sign the Memorandum of Understanding with the ABVI-Goodwill's 211/Lifeline, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 413-09: AUTHORIZATION TO RENEW MAINTENANCE AGREEMENT WITH IKON OFFICE SOLUTIONS

Ms. Park presented the following:

WHEREAS, Wayne County Public Health has a mobile Canon copier used primarily for off-site clinics for billing purposes; and

WHEREAS, the service agreement with IKON Office Solutions for annual coverage meter (24,000 copies), including labor, parts and black supplies for the period 5/12/09 to 5/11/10 is up for renewal; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute a renewed maintenance agreement with IKON from 5/12/09 to 5/11/10 for an amount not to exceed \$544.08, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 414-09: AUTHORIZATION TO TRANSFER FUNDS FOR PUBLIC HEALTH DEPARTMENT

Ms. Park presented the following:

WHEREAS, the Health Facility Cash Receipts Assessment Program has been reenacted for Article 36 Certified Home Health Agencies and Personal Care Service Providers, and

WHEREAS, Chapter 58 of the Laws of 2009 requires designated providers to pay an assessment on cash operating receipts commencing April 1, 2009 on a monthly basis, and

WHEREAS, failure to comply with this schedule will result in the mandated imposition of applicable interest and penalty charges, now, therefore, be it

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

A4019-WAYNE COMMUNITY NURSING CARE:

\$5,000.00 from .54594 Contract Aides

\$5,000.00 to .54666 Cash Receipts Assessment

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

RESOLUTION NO. 415-09: AUTHORIZATION TO EXECUTE BIOTERRORISM

AMENDMENT AGREEMENT FOR WAYNE COUNTY PUBLIC HEALTH DEPARTMENT

Ms. Park presented the following:

WHEREAS, grant funding for the period 4/1/09-8/9/09 has been cut in the amount of \$16,428, and

WHEREAS, the agreement requires an amended agreement be submitted, now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute such amended agreement.

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

RESOLUTION NO. 416-09: AUTHORIZATION TO AMEND PRE-K TRANSPORTATION CONTRACT WITH FINGER LAKES BOCES FOR WAYNE COUNTY PUBLIC HEALTH

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 the Wayne-Finger Lakes BOCES to provide transportation; and

WHEREAS, the Sodus Central School has a new child attending the Roosevelt Pre-K Program at the Roosevelt's Children's Center in Newark; and

WHEREAS, the student will be transported Monday through Friday for a.m. session only from Williamson to the Roosevelt Children's Center in Newark; and

WHEREAS, due to establishing this new bus route for one child will result in a modification cost of \$29.95 per day starting 5/18/09 through the end of the contract on June 30, 2009; 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 \$838.60 for the period 5/18/09 – 6/30/09, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 417-09: AUTHORIZATION TO AMEND RESOLUTION NO. 258-09: AUTHORIZING CONTRACTS WITH PROVIDERS OF APPROVED SPECIAL EDUCATION SERVICES OR PROGRAMS BY ADDING MONROE BOCES

Ms. Park presented the following:

WHEREAS, the County is required to contract for approved special education services or programs pursuant to Section 4410 of the Education Law; and

WHEREAS, Monroe BOCES #1, 41 O'Connor Road, Fairport, NY, wishes to contract with Wayne County to provide such services; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to amend Resolution No. 258-09 and execute a contract, subject to the County Attorney's approval as to form and content, with Monroe BOCES #1, a provider of approved special education services or programs for preschool age children with handicapping conditions for the period 7/1/09 – 6/30/11, and that these are mandated services which will be reimbursed at the approved State Aid rate.

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

RESOLUTION NO. 418-09: CLARIFICATION REGARDING LOCAL LAW NO. 6-1985 AS AMENDED BY LOCAL LAW NO. 2-1990 ENTITLED "LOCAL LAW PROVIDING DEFENSE AND INDEMNIFICATION FOR COUNTY OFFICERS AND EMPLOYEES"

Mrs. Collier presented the following:

WHEREAS, Local Law No. 6-1985 as amended by Local Law 2-90 Entitled "Local Law Providing Defense and Indemnification For County Officers and Employees" provided for the

defense of employees, as defined in said local law, in any civil action or proceeding arising out of any act or omission which occurred or allegedly occurred while the employee was acting within the scope of his/her public employment or duties; and

WHEREAS, an employee is defined in part in said local law as follows:

"Employee" shall mean any person holding a position by election, appointment, or employment in the service of the County, whether or not compensated, or a volunteer expressly authorized to participate in a County-sponsored volunteer program; and

WHEREAS, recently appointed members of the Board of Ethics have requested clarification as to whether they are included in the definition of employees in said local law; now therefore be it

RESOLVED, that the Wayne County Board of Supervisors hereby finds that members of the Board of Ethics are included in the definition of "employee" as contained in said local law; and be it further

RESOLVED, said members of the Board of Ethics are entitled to defense and indemnification pursuant to said local law providing they are in compliance with all requirements of said local law.

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

RESOLUTION NO. 419-09: RESOLUTION PROVIDING FOR CONSISTENCY IN ADDRESSING REQUESTS FOR THE DONATION OF LEAVE TIME FROM ONE EMPLOYEE TO ANOTHER AND AUTHORIZING DISCUSSIONS WITH THE CSEA TO RESTRUCTURE THE SICK LEAVE BANK

Mrs. Collier presented the following:

WHEREAS, the Agreements between the County and certain Bargaining Units provides for the ability of employees who have exhausted their sick leave time to petition the Board of Supervisors for additional sick time; and

WHEREAS, the Agreement also provides that the Board of Supervisors has sole discretion to affirm, modify, or deny such requests; and

WHEREAS, the County's Agreements with its Civil Service Employees Association (CSEA) units provide guidelines for a Sick Leave Bank; and

WHEREAS, the CSEA Sick Leave Bank has become dormant through lack of use; and

WHEREAS, it is apparent that the Sick Leave Bank may need to be restructured in order to ensure that it can become functional and provide protection for employees in need of additional sick time; and

WHEREAS, the Board of Supervisors wishes to address these requests for additional sick leave in a consistent manner but also wishes to return to the use of a Sick Leave Bank that is designed to genuinely assist those employees in need of sick time and who have actively contributed to the Sick Leave Bank; and

WHEREAS, the Board of Supervisors wishes to balance its duty of protecting the taxpayers of Wayne County with addressing the needs of its valued employees; now, therefore, be it

RESOLVED, that Wayne County will continue to adhere to its contractual obligations with its bargaining units; and be it further

RESOLVED, that the Board of Supervisors will continue to address ad hoc requests for additional Sick Leave time from employees with the donation of Annual Leave time from other employees to be credited to the recipient employee as Sick Leave time until December 31, 2009; and be it further

RESOLVED, that the Board of Supervisors hereby authorizes the County Administrator, County Attorney, and Human Resources Director to enter into discussions with both units of the Civil Service Employee Association to develop an Employee Sick Leave Bank that provides additional sick leave time to those employees who may require it and who actively participate in the Sick Leave Bank.

Mr. Spickerman moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll

call, adopted.

RESOLUTION NO. 420-09: AUTHORIZATION TO ADVERTISE FOR BIDS FOR PAVING OF DRIVEWAY AND PARKING LOT OF POLLING SITE AT THE JOY COMMUNITY CENTER, SODUS

Mrs. Collier presented the following:

WHEREAS, the County of Wayne Board of Elections has grant funds of \$24,128.14 under the NYS Polling Access Improvement T002696; and

WHEREAS, voter access under HAVA requires polling sites to be ADA compliant; and

WHEREAS, driveway and parking lot improvements at the Joy Community Center will allow disabled voters unobstructed and safe egress to the polling site by wheelchair, walker, etc.; and

WHEREAS, the Wayne County Highway Department will perform the sub base removal and placement in preparation for the asphalt paving; now, therefore, be it

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to advertise for bids for paving of the driveway and parking lot of the Joy Community Center for the Board of Elections 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 Board of Elections 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. LeRoy moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

RESOLUTION NO. 421-09: AUTHORIZE APPLICATION FOR 2009 HOFFMAN FOUNDATION GRANT FOR THE OFFICE OF THE HISTORIAN

Mrs. Collier presented the following:

WHEREAS, The Hoffman Foundation Trustees are offering the opportunity to the Office of the County Historian to apply for a grant in 2009; and

WHEREAS, the project to preserve the Hoffman Essays held in the Office of the County Historian is on-going and

WHEREAS, the funding for this project is dependent upon sources external to the normal budget process; now, therefore, be it

RESOLVED, that the Office of the Historian be authorized to prepare and submit a grant application to the Hoffman Foundation for funding in 2009; and be it further

RESOLVED, that the Chairman of the Board be authorized to accept the grant and execute the contract with the Hoffman Foundation representatives after appropriate review by the Office of the County Attorney.

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

RESOLUTION NO. 422-09: AUTHORIZATION TO PREPARE AND SUBMIT A SNOWMOBILE TRAILS GRANT-IN-AID "PHASE 1- PRIOR APPROVAL APPLICATION" ON BEHALF OF WAYNE COUNTY SNOWMOBILE CLUBS

Mr. Spickerman presented the following:

WHEREAS, Resolution 560-98 established Wayne County as the Local Sponsor for the Snowmobile Trails Grant-In-Aid Program offered through the NYS Office of Parks, Recreation and Historic Preservation (OPRHP); and

WHEREAS, the County Planning Department has prepared applications to said grant program on behalf of snowmobile clubs in the County since 1998; and

WHEREAS, the County continues to recognize and support the recreational and

economic benefits of snowmobiling throughout the County; now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes the Planning Department to prepare and submit a Phase 1- TRAIL SYSTEM PRIOR APPROVAL application and MAP to OPRHP's Snowmobile Trails Grant-In-Aid Program for the 2009/2010 funding cycle pending approval by the County Attorney as to form and content.

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

RESOLUTION NO. 423-09: MAKING A DETERMINATION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

Mr. Spickerman presented the following:

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQRA Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State, being 6 NYCRR Part 617, as amended (the "Regulations"), the Wayne County Board of Supervisors (the "Board"), as lead agency, desires to determine whether the following action may have a "significant effect on the environment" (as said quoted term is defined in the SEQRA Act and the Regulations) and therefore require the preparation of an environmental impact statement: An action to replace the Brantling Hill Communications Tower and Ancillary Building, located in the Town of Arcadia (the "Project"); and

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

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

RESOLVED, as follows:

1. Based upon examination of the EAF, and based further upon the Board's knowledge of the area surrounding the Project and such further investigation of the Project and its environmental effects as the County has deemed appropriate, the Board makes the following findings with respect to the Project:
 - (a) the Project consists of those components described in the first "WHEREAS" clause of this resolution; and
 - (b) there are no known potentially significant impacts on the environment other than those noted in and addressed and/or mitigated by the County as set forth in the EAF.
 2. Based upon the foregoing investigation of the potential environmental impacts of the Project and considering both the magnitude and importance of each environmental impact therein indicated, the Board makes the following findings and determinations with respect to the Project:
 - (a) The Project constitutes an Unlisted Action (as defined in the Regulations); and
 3. The Project will not result in any large and important impacts and, therefore, is one which will not have a significant effect on the environment, and the Board will not require an environmental impact statement with respect to the Project; and
 4. This determination constitutes a negative declaration for the purposes of the SEQR Act.
- Mr. Fabino moved the adoption of the resolution. Seconded by Mr. Hammond. Upon roll call, adopted.

RESOLUTION NO. 424-09: AUTHORIZE JOINT MUNICIPAL IMPROVEMENT PROJECT FOR THE TOWN OF ONTARIO

Mr. Spickerman presented the following:

WHEREAS, pursuant to Resolution No. 232(73), as amended by Resolution No. 263(73) and Resolution No. 291(73), the Board of Supervisors has established a Joint Municipal Improvement Project Fund which provides County funding for a portion of the cost of approved

Town or Village improvement projects for development of public facilities related to retail business activity; and

WHEREAS, the Town of Ontario has requested the County to provide funding from the Joint Municipal Improvement Project for improvements to a public right-of-way located in the central business district (CBD) which connects the north side of Ridge Road to a public parking lot behind the CBD with work to include the removal of an existing concrete sidewalk and the installation of a new sidewalk with a combination of concrete and pavers and the installation of two custom made fabricated and painted steel archways to serve as gateways to the improved right-of-way; and

WHEREAS, this project is fully consistent with the Town of Ontario's newly adopted Downtown Vision Plan; and

WHEREAS, the total project cost is estimated to be \$29,000 with the Town of Ontario contributing \$19,333.34 in cash and in-kind services; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes funding from the Joint Municipal Improvement Project for the Town of Ontario in the amount of one-third the total project cost or \$9,666.66, whichever is less.

Mr. Kelsch moved, seconded by Mr. Hammond that the third WHEREAS clause be changed to read as follows:

"WHEREAS, the total project cost is estimated to be \$29,000, with the Town of Ontario contributing \$19,333.34 in cash; now, therefore, be it"

Upon roll call to amend the resolution as requested, all Supervisors voted Aye. Absent – Supervisor Plant. Carried.

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

RESOLUTION NO. 425-09: AUTHORIZATION TO REIMBURSE TOWNS FOR THE IMPLEMENTATION FOR THE SURVEY AND REPLACEMENT SIGNS FOR THE FEDERAL ADMINISTERED HIGHWAY PROGRAM

Mr. LeRoy presented the following:

WHEREAS, the Wayne County Sign Project has been identified for survey and replacement of signs at an estimated cost of \$275,000 in which Marchiselli Funds will be utilized; and

WHEREAS, the initial phase is the design and survey of the project; now, therefore, be it RESOLVED, that the Wayne County Highway Superintendent is hereby authorized and directed to pay the following towns:

Town of Galen	\$ 9,500.00
Town of Macedon	\$ 9,500.00
Town of Ontario	\$ 9,500.00

and be it further

RESOLVED, that the payments represent a 95% reimbursement to the Towns of up to 10,000 worth of engineering services from Lu Engineers and/or signage materials.

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

RESOLUTION NO. 426-09: AUTHORIZATION TO APPROVE 2009 HIGHWAY CONSTRUCTION PROJECT STATEMENTS, ABOLISH PROJECT AND APPROPRIATE FUNDS

Mr. LeRoy presented the following:

WHEREAS, due to the increase in available CHIPS Funds for 2009-2010, several project will be added/amended for the 2009 construction season; and

WHEREAS, Maple Avenue Paving Project (D51122.52616) shall be abolished; and
WHEREAS, in accordance with Section 115 of the Highway Law, the Superintendent of
Highways has prepared project statements for the proposed work for the following projects:

09-14	West Walworth Road Paving Project	\$165,000
09-15	Main Street Paving Project	\$ 70,000
09-26	Buffalo Street Paving Project	\$ 45,000
09-30	Erie Street Culvert Project	\$100,000

now, therefore, be it

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

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

\$110,000 from D51122.52616 (Maple Avenue Paving Project)
\$200,000 from D51122.52600 (Highway Construction)
\$70,000 from D51122.52900 (Bridge Construction)
\$165,000 to D51122.52614 (West Walworth Road Paving Project)
\$70,000 to D51122.526215 (Main Street Paving Project)
\$45,000 to D51122.52626 (Buffalo Street Paving Project)
\$100,000 to D51122.52630 (Erie Street Culvert Project)

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

RESOLUTION NO. 427-09: AUTHORIZATION TO AMEND 2009 BUDGET FOR THE WAYNE COUNTY HIGHWAY DEPARTMENT

Mr. LeRoy presented the following:

WHEREAS, the New York State Department of Transportation has approved and allocated additional CHIPS Funds for the 2009-2010 Fiscal Year; and

WHEREAS, the original CHIPS Funds allocated by the state was increased to \$2,232,861.12 for the Fiscal Year 2009-2010; and

WHEREAS the county originally budgeted for \$1,700,000; now, therefore, be it

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

09-15	Main Street Paving Project	\$ 22,000
09-32	Knickerbocker Road Project	\$300,000

now, therefore, be it

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

D99990 – Other:

\$322,000.00.43501 Consolidated Highway Aid

D51122 – Road Construction:

\$ 22,000.00 Main Street Paving Project

\$300,000.00 Knickerbocker Road Project

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

RESOLUTION NO. 428-09: AUTHORIZATION TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH ERDMAN & ANTHONY FOR THE CONSTRUCTION ADMINISTRATION SERVICES FOR THE SODUS CENTER BRIDGE PROJECT

Mr. LeRoy presented the following:

WHEREAS, this project is federally funded and included on the current Transportation Improvement Plan; and

WHEREAS, the scope of work for the Construction Administration Plan has been

reviewed and approved by the New York State Department of Transportation (NYSDOT);
 WHEREAS, due to an increase in the duration of construction and the associated construction administration services, a supplemental agreement for \$22,000 is required to extend the construction administration services; and
 WHEREAS, this increase in construction administration has been reviewed and approved as an eligible cost by the NYSDOT; now, therefore, be it
 RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a supplemental agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Erdman & Anthony for the Construction Administration Services for the replacement of the Sodus Center Bridge in the Town of Sodus; and be it further
 RESOLVED, that the County Treasurer is hereby authorized to amend the 2009 County Budget as follows:
A1990-Contingent Fund Gen:
 Decrease A19904.54000 – Contractual Expenses by \$1,100
A9901-Interfund Transfers:
 Increase A99019.59300 – Transfer-County Road by \$1,100
D5112-Road Construction:
 Increase D51122.52987 – Sodus Center Bridge By \$22,000
D9999 - Other
 Increase D99990.44511 – Federal by \$17,600.00 (80%)
 Increase D99990.43511 – Marchiselli Funds State by \$3,300.00 (15%)
 Increase D99990.45031 – Interfund Transfer \$1,100 (5%)
 Mrs. Bender moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

RESOLUTION NO. 429-09: AUTHORIZATION TO SOLICIT FOR PRICE PROPOSALS FOR ENVIRONMENTAL ENGINEERING OVERSIGHT ON THE TANK REMOVAL PROJECT

Mr. LeRoy presented the following:
 WHEREAS, the proposed project to remove underground tanks at the Highway and other county facilities will require a qualified Environmental consultant to provide monitoring and record keeping during the removal process; and; now, therefore, be it
 RESOLVED, that the County Highway Superintendent is hereby authorized and directed to request proposals for engineering services for the tank removal project.
 Mr. Hammond moved the adoption of the resolution. Seconded by Mr. Lyon. Upon roll call, adopted.

RESOLUTION NO. 430-09: AUTHORIZATION TO AWARD BALLISTIC WINDOW BIDS AND AMEND 2009 COUNTY BUDGET

Mr. LeRoy presented the following:
 WHEREAS, The Clerk of the Board of Supervisors duly advertised for bids for the Installation of Ballistic Window and Barrier Systems for various County Departments; and
 WHEREAS, the following bids were received:

now, therefore, be it

RESOLVED, that Pacific Bulletproof Co. shall be awarded the following amounts based on their form of bid, County Clerk Security Windows with installation in the amount of \$19,610.00, D.M.V. Security Windows with installation in the amount of \$ 41,221.00, D.S.S. Security Windows with installation in the amount of \$22,006.00 and a total of nine (9) level 3 bullet resistant fiberglass panels, 4' X 8' in the amount of \$4,824.00; and be it further

RESOLVED, that an additional \$4,000.00 be budgeted for the purchase of counter tops and vinyl coverings for exposed ballistic materials to be purchased by Buildings and Grounds Department, and further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract on behalf of Wayne County, subject to the County Attorney's approval, with Pacific Bulletproof Co., at a cost of \$ 87,661.00, and be it hereby further

RESOLVED, that the County Treasurer is hereby authorized to amend the 2009 County Budget and transfer \$64,831.00 from Appropriated Fund Balance as follows:

A1615-BUILDINGS & GROUNDS:

\$26,830.00 to .41275-B6010 Building & Grounds Fees-Social Services

\$91,661.00 to .54000 Contractual Expenses

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

RESOLUTION NO. 431-09: AUTHORIZATION TO CONTRACT WITH SWBR FOR BURN BUILDING MODIFICATIONS

Mr. LeRoy presented the following:

WHEREAS, that Wayne County has decided to discontinue services without payment from Daniel Long Architect and Associates; and

WHEREAS, Wayne County has grant funding in place for the purpose of improving its burn facility; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is duly authorized to execute an agreement subject to approval by the County Attorney as to form and content, with SWBR Architects as per the proposal received from SWBR Architects, dated June 1, 2009 in an amount not to exceed \$9,900 with \$250.00 reimbursable expenses.

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

RESOLUTION NO. 432-09: AUTHORIZATION TO ADVERTISE FOR BIDS FOR ASBESTOS

Bidder and Address	NEP Glass PO Box 277 Little Fall, NY	Flower City Glass 188 Mt. Hope Ave Rochester, NY	Pacific Bulletproof 4035 Leaverton Ct. Anaheim, CA
County Clerk Security Windows with Installation	49,800.00	18,719.00	19,610.00
County Clerk Security Windows Purchase Only	No bid submitted	12,743.00	17,850.00
D.M.V. Security Windows with Installation	114,900.00	50,722.00	41,221.00
D.M.V. Security Windows Purchase Only	No bid submitted	30,942.00	37,541.00
Treasurers Security Windows with Installation	18,000.00	7,358.00	6,446.00
Treasurers Security Windows Purchase Only	No bid submitted	4,751.00	5,885.00
D.S.S. Security Windows with Installation	46,900.00	24,438.00	22,006.00
D.S.S. Security Windows Purchase Only	No bid submitted	17,052.00	20,006.00
Unit Cost for 1- 4' X 8' level 3 Bullet resistant fiberglass panel	3,000.00	650.00	536.00

ABATEMENT WITHIN THE OLD NURSING HOME FACILITY

Mr. LeRoy presented the following:

WHEREAS, the decision has been made to replace all existing heating equipment within the old nursing home facility as part of the renovation project; and

WHEREAS, the heating system was in use during the asbestos abatement project at the facility and the asbestos abatement was therefore not carried out in the larger scale abatement project; and

WHEREAS, the existing heating equipment contains quantities of asbestos identified by Lozier Environmental that will need to be abated prior to removal; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an agreement with Lozier Environmental, subject to approval of the County Attorney as to form and content, for further testing of equipment, preparation of plans and specifications and provide required independent air monitoring services during the abatement, pricing shall be based on actual quantities of work provided with an anticipated budget of \$6,500.00, for their services; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for bids for an Asbestos Abatement within the Old Wayne County Nursing Home, as per plans and specifications prepared by Lozier Environmental.

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

RESOLUTION NO. 433-09: AUTHORIZATION TO ENTER INTO AGREEMENT WITH THE TOWN OF HURON TO SUPPORT THE WEED HARVESTING PROGRAM, TO AMEND THE 2009 COUNTY BUDGET, AND TO AMEND THE AQUATIC WEED HARVESTING AGREEMENT WITH THE SOIL AND WATER DISTRICT

Mr. LeRoy presented the following:

WHEREAS, the Towns of Wolcott and Sodus have paid the Soil and Water District directly for their portion of the 2009 Weed Harvesting Program; and

WHEREAS, the Town of Huron is desirous of paying its portion (\$9,000) of the program to Wayne County which will in turn pay the Soil and Water District for Aquatic Weed Harvesting Program; and

WHEREAS, Resolution 133-09 Authorized Wayne County to contract for the Wayne County portion (\$44,100) of the Aquatic Weed Harvesting Program for 2009 and pay the district \$44,100 to administer the 2009 program providing the Towns of Wolcott, Sodus, and Huron contributed toward the program; and

WHEREAS, in order to facilitate the change to reflect the Town of Huron's portion a contract revision and budget adjustment are necessary; now, therefore, be it

RESOLVED, that the County is hereby authorized to amend its agreement with the Soil and Water District for the Aquatic Weed Harvesting Program by increasing the amount to not exceed from \$44,100 to \$53,100 and that the Chairman of the Board of Supervisors is authorized to sign the amended agreement upon the review and approval of the County Attorney; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign an agreement upon review and approval of the County Attorney with the Town of Huron to facilitate payment of the town's contribution to the program through the county; and be it further

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

A8730-SOIL CONSERVATION

\$9,000.00 to .54496 Weed Harvesting

\$9,000.00 to .42770 Miscellaneous Revenues

and be it further

RESOLVED, that upon receipt of the payment from the Town of Huron, the County is hereby authorized to make payments not to exceed \$53,100 to the Soil and Water District to administer the Aquatic Weed Harvesting Program for 2009.

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

RESOLUTION NO. 434-09: AUTHORIZE APPLICATION FOR FUNDING TO NYSERDA ENERGY EFFICIENCY BLOCK GRANT PROGRAM

Mr. LeRoy presented the following:

WHEREAS, Wayne County will retrofit the old nursing home for use as office space to house various county departments and related staff; and

WHEREAS, the Federal Stimulus Program has appropriated \$17,856,360 to the NYS Energy Research and Development Authority (NYSERDA) for disbursement through the Energy Efficiency and Conservation Block Grant Program (EECBG) for eligible projects that include energy efficiency building retrofits and renewable energy technologies for government buildings; and

WHEREAS, NYSERDA is expected to issue a Notice of Funding Availability for this program in late summer 2009; and

WHEREAS, the old nursing home will have as a component of its retrofit the installation of solar panels on the roof, which is an eligible activity under the EECBG program; now, therefore, be it

RESOLVED, that the County Planning Director is authorized and directed to prepare and submit an application to the EECBG program to obtain funding for the purchase and installation of solar panels on the roof of the old nursing home.

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

RESOLUTION NO. 435-09: AUTHORIZATION TO ADVERTISE FOR BIDS FOR A COMMUNICATIONS TOWER

Mrs. Bender presented the following:

WHEREAS, the County owned Brantling Hill communications tower site is the hub of all emergency service radio communications in the County's system, and

WHEREAS, there are two communications towers currently located at the aforementioned site; one 260' tower, with an accompanying concrete block equipment shelter, and a shorter 150' tower with an accompanying wooden equipment shelter, and

WHEREAS, the changes involved with the Interoperable Communications Project require additional tower space at the Brantling Hill site to accommodate the additional VHF radio frequencies, and

WHEREAS, tower #2 is not compliant with current design, grounding, or climbing standards for public safety communications towers, necessitating that it be replaced, with the accompanying equipment shelter also in need of replacement, and

WHEREAS, Brantling tower #1 is currently loaded to 95% capacity, which will not allow for the additional antennas necessary as part of the radio project; now, therefore, be it

RESOLVED, that, in association with the replacement of tower #2 at the Brantling Hill communications site, the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for bids for the following:

- Dismantling and removal of the existing tower #2
- Construction of a replacement tower, including foundation, anchors and grounding
- Procurement and installation of a prefabricated equipment building
- Procurement and installation of a security fence

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; and be it further

RESOLVED, that the E-911 Coordinator shall be authorized to submit any necessary applications to the State of New York, the Town of Arcadia, the Federal Aviation

Administration, the Federal Communications Commission, and any other preconstruction permit applications that may be necessary relative to construction of said tower.

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

RESOLUTION NO. 436-09: AUTHORIZATION TO EXECUTE A GENERATOR SHARING AGREEMENT WITH NEW CINGULAR WIRELESS

Mrs. Bender presented the following:

WHEREAS, the County of Wayne is a co-user with the New Cingular Wireless (AT&T) at two communications tower sites in the county; one in the Town of Walworth, and the second in the Town of Rose; and

WHEREAS, in conjunction with the Wayne County radio interoperability project, back-up power sources for County use are necessary at all four tower sites comprising the County's primary infrastructure, which include the two sites at which the County is a co-user with the New Cingular Wireless; and

WHEREAS, Cingular has installed a permanent back-up power generator at the Rose tower site; and

WHEREAS, Cingular is willing to allow the County to have use of its permanent generator at the Rose site in return for allowing Cingular use of a County owned generator at the Walworth site; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute an agreement with the new Cingular Wireless PCS, LLC, with agreement form and content acceptable to the County Attorney, to allow the County to have use of the Cingular Wireless stand-by power generator at the Rose tower site at no cost to the County, in return for allowing Cingular to have use of a County owned stand-by power generator at the Walworth tower site at no cost to Cingular.

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

RESOLUTION NO. 437-09: AUTHORIZATION TO ADVERTISE FOR BIDS FOR A STAND-BY POWER GENERATOR FOR INSTALLATION AT THE WALWORTH TOWER SITE

Mrs. Bender presented the following:

WHEREAS, in conjunction with the Wayne County Radio Interoperability Project, back-up power sources are necessary at all four tower sites comprising the County's primary infrastructure, which includes the site in Walworth at which the County is the lessee in an agreement with the Town of Walworth; now, therefore, be it

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for bids for a stand-by power generator to be installed at the Walworth tower site, located at 3625 Lorraine Drive in Walworth; and be it further

RESOLVED, that the bid to be released shall require the contractor to furnish and install a complete 50 kilowatt or higher capacity propane powered generator system which shall comply with NFPA (National Fire Protection Association) standard 110; 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. LeRoy moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

RESOLUTION NO. 438-09: AUTHORIZATION TO UPGRADE COUNTY ID SYSTEM FOR USE AS EMERGENCY SERVICES IDENTIFICATION SYSTEM

Mrs. Bender presented the following:

WHEREAS, Wayne County Resolution No. 424-05 adopted the National Incident Management System (NIMS) as Wayne County's Standard for Incident Management which provides a consistent nationwide template to enable all government, private-sector, and

nongovernmental organizations to work together during domestic incidents; and

WHEREAS, NFPA 1561 Standard on Emergency Services Incident Management System mandates Personnel Accountability for All Responders, Visitors and Victims On Scene; and

WHEREAS, there is a need throughout the county for Emergency Services command staff to be able to quickly and accurately identify personnel and understand their level of expertise (credentialing); and

WHEREAS, there is a need for emergency medical information of emergency responders to be stored in a standard location and the current county identification system is capable of being upgraded to meet these requirements; and

WHEREAS, the Local Emergency Management Performance Grant was increased mid-year from an anticipated \$22,000 to \$37,578; and

WHEREAS, there were \$5,562.00 in unexpended funds remaining in 2008 which are required to be used for Emergency Management or returned to the state, and said unspent grant funding that is available to be applied to this project; and

WHEREAS, the State of New York has increased the license fee to Nuclear Facilities, including the Robert E. Ginna Nuclear Power Plant, of which, a portion of said fee is paid to Wayne County, directed to Emergency Management; now, therefore, be it

RESOLVED, that upon review and approval of the Superintendent of Buildings and Grounds and the County Attorney, the Director of Emergency Management is approved to purchase the necessary hardware, software, supplies, and services to create such Identification Cards; and be it further

RESOLVED, that said cards will be generated and distributed to the various emergency services agencies at no charge, and may be updated from time to time as required at no charge, but replacement cards created due to the misuse or carelessness of the cardholder shall be generated at a cost of \$5.00 per card; and be it further

RESOLVED that the County Treasurer is hereby authorized and directed to make the following amendment to the 2009 Wayne County Budget:

A3640-EMERGENCY MANAGEMENT OFFICE:

\$ 5,562.00 to .44305 Civil Defense
\$ 12,095.00 to .43306 Nuclear Facility Support
\$ 4,396.00 to .52201 Computer Equipment
\$ 5,104.00 to .54126 Field Supplies
\$ 2,125.00 to .54400 Contracted Services
\$ 6,032.00 to .54475 Software

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

RESOLUTION NO. 439-09: AUTHORIZATION TO CONTRACT WITH WAYNE COUNTY CHAPTER OF THE AMERICAN RED CROSS FOR TRAILER STORAGE

Mrs. Bender presented the following:

WHEREAS, the Wayne County Chapter of the American Red Cross has received a 7foot by 17 foot Disaster Trailer and is desirous of outside space to store said trailer; and

WHEREAS, the Wayne County Chapter of the American Red Cross provides substantial services to the county and its citizens at no cost to the county; and

WHEREAS, Wayne County has space available for the storage of said trailer; therefore, be it

RESOLVED, that upon review and approval of the Superintendent of Buildings and Grounds and the County Attorney the Chairman of the Board of Supervisors is hereby authorized and directed to sign a no-charge contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Wayne County Chapter of the American Red Cross for the period of July 1, 2009 through June 30, 2019, for the accommodation of trailer storage.

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

RESOLUTION NO. 440-09: AUTHORIZATION FOR DIRECTOR OF EMERGENCY MANAGEMENT TO ATTEND TRAINING CONFERENCE

Mrs. Bender presented the following:

WHEREAS, the Director of Emergency Management desires to attend a Training Conference sponsored by the International Association of Emergency Managers; and

WHEREAS, the Director of Emergency Management is desirous of attaining certified Emergency Manager credentialing; and

WHEREAS, the conference is scheduled for October 31 through November 5, 2009; and

WHEREAS, the conference will contribute to the continued professional development of the Emergency Manager; and

WHEREAS, the State of New York has realized that At-Risk Counties within New York State have had inadequate funding levels to support continued professional development; and

WHEREAS, the State of New York has increased the license fee to Nuclear Facilities, including the Robert E. Ginna Nuclear Power Plant, of which, a portion of said fee is paid to Wayne County, directed to Emergency Management; now, therefore, be it

RESOLVED, that the Emergency Manager is authorized to attend the International Association of Emergency Managers Annual Conference in Orlando, FL from October 31 through November 5, 2009 at a total cost not to exceed \$3,000; and be it further

RESOLVED, that the Emergency Manager is authorized to register for credentialing as a Certified Emergency Manager at a cost of \$325; and be it further

RESOLVED that the County Treasurer is hereby is directed to make the following amendment to the 2009 Wayne County Budget:

A3640-EMERGENCY MANAGEMENT OFFICE:

\$ 3,325.00 to .54110 Conference

\$ 3,325.00 to .43306 Nuclear Facility Support

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

RESOLUTION NO. 441-09: AUTHORIZATION TO ADVERTISE FOR BIDS FOR BOAT HOIST FOR WAYNE COUNTY SHERIFF LOCATED AT SODUS POINT MARINE STATION

Mrs. Bender presented the following:

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized to advertise for bids for a boat hoist located at the Wayne County Sheriff's Marine Station located in Sodus Point in accordance with specifications prepared by the Sheriff's Office and filed with the Clerk of the Board of Supervisors'; and be further

RESOLVED, that the Clerk of the Board of Supervisors is hereby designed and directed to publicly open the bids at the time specified in the Advertisement for Bids, and to present a record of the bids at the next meeting of the Board of Supervisors following the bid opening.

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

RESOLUTION NO. 442-09: AUTHORIZATION TO ACCEPT GRANT FROM NYS DCJS LEGISLATIVE GRANT AWARD IN THE AMOUNT OF \$60,000 AND MODIFY BUDGET

Mrs. Bender presented the following:

WHEREAS, the Wayne County Sheriff's Office has received a grant in the amount of \$60,000 for general operation and program cost for the Sheriff's Office from the NYS Division of Criminal Justice Services State Budget for 2008-2009 Project ID LG08-1528-00, DCJS No. LG08088746; and

WHEREAS, the Sheriff has identified for purchase (1) stake-out wireless system; (1) covert inferred camera; (1) portable crime scene light; (1) low dose x-ray equipment; (15) conducted energy devices; (6) Patrol Rifles; (1) hostage negotiations phone; (10) Emergency Response Team cold weather suits; (4) rifle sight mounting systems; (48) less than lethal weapons ammunition; (3) raid ballistic protective sets; (2) digital SLR cameras; (1) emergency generator

lighting system; (1) dial-in multi-frequency radio for command post and (1) less than lethal weapons certification training course; now, therefore, be it

RESOLVED, that the grant in the amount of \$60,000 is accepted for general operation and program costs as identified above; and be it further

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

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

A3114 – SHERIFF ROAD PATROL

\$60,000.00 to .43716 State Aid

\$57,300.00 to .52500 Other Equipment

\$ 1,500.00 to .54483 Training

\$ 1,200.00 to .54600 Misc

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

RESOLUTION NO. 443-09: AUTHORIZATION FOR DEPUTY WILLIAM BENEDICT ATTEND EASTERN REGIONAL CHILD PASSENGER SAFETY TECHNICAL CONFERENCE BEING HELD IN LANCASTER, PA

Mrs. Bender presented the following:

WHEREAS, Deputy William Benedict of the Wayne County Office of Sheriff has been certified to inspect child passenger safety seats and this training would allow him to have the most update training available to the citizens of Wayne County. This training is being held September 9-11, 2009 at the Willow Valley Resort located in Lancaster, Pennsylvania; and

WHEREAS, the cost involved in the attendance of this Conference would be in the amount of \$230 for the cost of registration and meals; now, therefore, be it

RESOLVED, that the Wayne County Office of Sheriff is hereby authorized and directed to enroll Deputy William Benedict in the Eastern Regional Child Passenger Safety Technical Conference and pay for the associated costs as mentioned.

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

RESOLUTION NO. 444-09: AUTHORIZATION TO ACCEPT GRANT FROM NEW YORK STATE OFFICE OF HOMELAND SECURITY (FY08 LETPP GRANT) OHS #WM08836482, IN THE AMOUNT OF \$54,500 AND MODIFY BUDGET

Mrs. Bender presented the following:

WHEREAS, the Wayne County Office of Sheriff has received a grant in the amount of \$54,500 from the Office of Homeland Security for the purpose of enhancing capability to support international border and waterway security with the purchase of a remotely piloted vehicle (underwater), equipment trailer, video assessment security system and satellite phone service ; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute the grant between the Office of Homeland Security and Wayne County Sheriff's Office upon review and approval of the County Attorney; and be it further

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

Account No. 3114 Road Patrol

\$54,500.00 to .52500 Other Equipment

\$54,500.00 to .44306 Homeland Sec. Federal

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

RESOLUTION NO. 445-09: AUTHORIZATION TO SURPLUS A VEHICLE FOR THE WAYNE COUNTY SHERIFF'S OFFICE

Mrs. Bender presented the following:

WHEREAS, the following vehicle is no longer of use by the Wayne County Sheriff's Office: 2000 Ford CV Silver VIN: 2FAP71WXYX111787 MILEAGE: 64,284; now, therefore, be it RESOLVED, that due to the condition of this vehicle, it is not to be offered to another town or agency; and be it further

RESOLVED, that the vehicle listed above is hereby declared surplus and said vehicle is to be disposed of in accordance with the Surplus Vehicle Disposition Procedure Outlined in Resolution No. 128-09.

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

RESOLUTION NO. 446-09: AUTHORIZATION FOR SHERIFF'S OFFICE TO PICK UP PATROL VEHICLES IN OCEAN, NEW JERSEY

Mrs. Bender presented the following:

WHEREAS, the Sheriff's Office has elected to pick up new vehicles instead of paying delivery charges on new vehicles located in Ocean, New Jersey; now, therefore, be it

RESOLVED, that the Wayne County Sheriff's Office has permission to pick up these vehicles when they arrive in New Jersey and the Sheriff shall notify the County Administrator as to the exact date of this travel as soon as it is known.

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

RESOLUTION NO. 447-09: AMEND 2009 COUNTY BUDGET TO FUND VEHICLE IMPOUND YARD FENCING FOR THE WAYNE COUNTY JAIL

Mrs. Bender presented the following:

WHEREAS, Resolution No. 332-09 authorized the awarding of a bid to provide vehicle impound yard fencing for the Wayne County Jail to NYS Fence, Inc. for an amount not to exceed \$12,980.00; now therefore be it

RESOLVED, that the County Treasurer is hereby authorized to amend the 2009 County Budget and transfer \$12,980.00 from A878 Undesignated Capital Reserve to A3150 Sheriff Jail Budget as follows:

Account No. A3150 - Sheriff - Jail
\$12,980.00 to .54400 Contracted Services

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

RESOLUTION NO. 448-09: AUTHORIZATION TO AWARD BID FOR PURCHASE AND INSTALLATION OF CLOSED CIRCUIT TELEVISION SYSTEM AND AMEND BUDGET FOR THE WAYNE COUNTY SHERIFF'S DEPARTMENT

Mrs. Bender presented the following:

WHEREAS, the Clerk of the Board of Supervisors duly advertised for bids for the purchase and installation of a closed circuit television system for the Wayne County Sheriff's Department; and

WHEREAS, the following bids were received:

SECURITRONICS

7250 State Fair Blvd

Syracuse, NY 13209

\$ 185,908.00

RESOLVED, that the bid submitted by SECURITRONICS is hereby accepted; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with SECURITRONICS at a cost not to

exceed \$ 185,908.00; and be it further

RESOLVED, that the County Treasurer is hereby authorized to amend the 2009 County Budget and transfer \$92,954.00 from A878 Undesignated Capital Reserve to A3150 Sheriff Jail Budget as follows:

A3150-SHERIFF JAIL:

\$185,908.00 to .54000 Contractual Expense

\$ 92,954.00 to .42700 Miscellaneous Revenues

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

RESOLUTION NO. 449-09: AUTHORIZATION TO APPLY FEDERAL GRANT FOR THE PURCHASE OF BALLISTIC VESTS FOR THE SHERIFF

Mrs. Bender presented the following:

WHEREAS, the County has been notified that it is eligible to receive 45% reimbursement under the Federal Grant Bulletproof Vest Partnership Act of 1998; and

WHEREAS, the County has a need for 16 ballistic vests with an estimated cost of \$12,720; now, therefore, be it

RESOLVED, the Sheriff's Department is hereby authorized to apply for grant funds available within the Federal Bulletproof Vest Partnership Act of 1998 for up to 16 ballistic vests.

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

RESOLUTION NO. 450-09: AUTHORIZATION TO DISCONTINUE DISASTER RECOVERY CONTRACT WITH TYLER TECHNOLOGIES

Mr. Lyon presented the following:

WHEREAS, the Information Technology Dept is utilizing Double Take software that looks for any changes made every 15 minutes on the MUNIS server and applies them to the mirrored database on a backup server currently located at DSS; and

WHEREAS, because the county has added this new software, Disaster Recovery services from Tyler Technologies is no longer required; and

WHEREAS, the savings to the county brought about by making this change is already reflected in the 2009 budget; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to sign the affidavit from Tyler Technologies to acknowledge that support for this product is no longer needed.

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

RESOLUTION NO. 451-09: AUTHORIZING PAYMENT OF LITIGATION COST AND TRANSFER FUNDS

Mr. Lyon presented the following:

WHEREAS, Resolution No.700-06 approved contributions to legal fees incurred by certain Wayne County Municipalities in defense of Real Property Tax Assessment Review Proceedings; and

WHEREAS, the following Towns have requested reimbursement for litigation fees as follows:

Town of Arcadia

West Union Street Associates (Wendy's Restaurant) \$420.50

Wal-Mart Stores Inc \$ 17.91

Town of Ontario

Ginna \$ 64.00

D.K.R. Investments LLC \$ 26.67

Gullace \$ 10.95

now, therefore, be it

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

\$540.03 to Account No. A1355.4506 (Attorneys) from Account No. A1990.4000 (Contingent Fund General-Contractual Expense); and be it further

RESOLVED, that the Director of Real Property Tax Services is hereby authorized to pay the amount stated above in accordance with Resolution No. 444-95 from Account No. A1355.4506 (Attorneys).

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

RESOLUTION NO. 452-09: AUTHORIZATION TO SELL CERTAIN REAL PROPERTY PARCELS ACQUIRED BY THE COUNTY FOR DELINQUENT TAXES TO ADJOINING LAND OWNERS

Mr. Lyon presented the following:

WHEREAS, pursuant to the provisions of Article Eleven (11) of the Real Property Tax Law of the State of New York pertaining to the enforcement of the collection of delinquent taxes, the County of Wayne has or will acquire title to the real property as shown on Appendix A (attached hereto and incorporated herein by reference) and is entitled to acquire title by Court Order to the properties from 2007 listed on Appendix A; and

WHEREAS, pursuant to the provisions of Article Eleven (11) of the Real Property Tax Law, real property acquired by tax deed or Court Order may be disposed of by the County at such times and upon such terms as shall be determined by the Board of Supervisors; and

WHEREAS, pursuant to Resolution No. 314-07, the County Treasurer was authorized and directed to convey title to the County of Wayne for the properties listed on Appendix A which are not redeemed for the year 2007 as of the close of business on June 16, 2009; and

WHEREAS, Resolution No. 314-07 authorized the properties shown on Appendix A to be offered and sold at the public auction sale; and

WHEREAS, upon further review, the Real Property Tax Director has recommended that certain properties included in Schedule A because of their size and/or location, be offered for sale to adjoining landowners rather than sold at the Public Auction; now, therefore, be it

RESOLVED, That the Director of the Real Property Tax Office is hereby authorized to offer for sale the following properties to adjoining land owners:

<u>SEQ #</u>	<u>VILLAGE/TOWN</u>	<u>TAX ID #</u>	<u>LOCATION</u>
0700361	TOWN OF GALEN	72112-00-297150	Route 31 W
*0701210	V. OF SODUS/T. OF SODUS	69117-05-187866	29 Central Avenue
*0701211	V. OF SODUS/T. OF SODUS	69117-05-187872	24 Central Avenue

*Note 0701210 and 0701211 will be sold together

and be it further

RESOLVED, that the Director of the Real Property Tax Office is hereby authorized and directed to mail bid requests to all appropriate land owners and charge the mailing and related expenses to Account No. A1364.54000 (Expenses for Property Acquired for In Rem Purposes); and be it further

RESOLVED, that the above listed properties shall be offered and sold subject to the following terms and conditions of Sale:

1. The property offered for sale has been acquired by the County of Wayne (hereinafter referred to as the "County") by Court Order pursuant to the provisions of Title 3 of Article 11 of the Real Property Tax Law of the State of New York.
2. Former owners will not be allowed to bid on their properties.
3. By acknowledging and executing these Terms & Conditions, the purchaser certifies that he/she is not representing the former owner(s) of the property against whom Wayne County Foreclosed and has no intent to defraud Wayne County of the unpaid taxes, assessment, penalties, and charges which have been levied against the property. The purchaser agrees that neither he/she nor his/her assigns shall convey, the property to the

former owner(s) against whom Wayne County foreclosed within 24 months subsequent to the auction date. If such conveyance occurs, the purchaser understands that he/she may be found to have committed fraud, and/or intent to defraud, and will be liable for any deficiency between the purchase price at auction and such sums as may be owed to Wayne County as related to the foreclosure on the property and consents to immediate judgment by Wayne County for said amounts.

4. All bids are subject to approval and acceptance by the Wayne County Board of Supervisors. The County reserves the right to sell to the second highest bidder if the purchaser defaults, or has outstanding real property taxes.
5. The Board of Supervisors reserves the right to accept or reject any or all bids or to withdraw any parcel from the sale at any time prior to delivery of the deed to the purchaser.
6. The property will be conveyed by the County to the purchaser by quit-claim deed, containing a description of the property as it appeared on the tax roll for the year upon which the County acquired title or as corrected up to date of deed. The deed will be recorded by the County upon payment in full of the purchase price and closing fees/cost. POSSESSION OF PROPERTY IS FORBIDDEN UNTIL THE DEED IS RECORDED WITH THE WAYNE COUNTY CLERK CONVEYING TITLE TO THE PURCHASER. TITLE VESTS AT THE RECORDING OF THE DEED. It is agreed between the County and the purchaser that delivery and acceptance of the deed occurs upon recording of the deed.
7. The County will not furnish an abstract of title or an instrument survey map.
8. The County does not make any representations or warranties, expressed or implied, (a) concerning the quality or the condition of the title to the property, or the validity or marketability of such title; the ownership of any improvements on the property; the condition of the property and any improvements thereon or its fitness for any use; or the accuracy of the property description on the tax roll or in the notice of sale or any other advertisement of sale furnished by the County; or (b) that the property or any improvements thereon presently comply with building or zoning codes, or with any state or local laws or regulations. Any information concerning the property furnished by the County or any of its officers, employees, or agents shall not be deemed to include any such representations or warranties. Any promotional tools such as photographic slides, tax maps, written or verbal descriptions, etc. are for informational purposes only.
9. The purchaser shall accept the property and any improvements thereon in "as is" condition with the understanding that the County makes no representation as to ownership or responsibility for any personal property located on the real property. The disposition of any personal property located on any parcel sold shall be the sole responsibility of the successful purchaser following the closing of sale.
10. Evictions, if necessary, are solely the responsibility of the successful bidder after closing and recording of the deed.
11. The sale of the property is made subject to (a) village, town, state and federal claims for taxes, liens or other encumbrances, and (b) all easements or rights-of-way which were in existence at the time of the levy of the tax the non-payment of which resulted in the tax deed to the County.
12. The County will convey the property free and clear of tax liens accrued on or before January 1, 2009.
13. The purchaser will pay all of the following taxes and charges, including all interest and penalties if applicable if they have not been paid:
 - 2009- Village Tax
 - 2009- School Tax
 - 2010 Town Tax & County Tax which may include relieved village or school taxes- INCLUDING ANY APPLICABLE INTEREST AND PENALTIES
 - Federal and/or State taxes, liens and encumbrances of recordIn order to avoid future delinquent charges, the new owner should immediately

advise all tax collectors of the new ownership, and the address where future tax bills are to be mailed.

14. The Bidder shall submit full payment by certified check or money order, immediately at time of bid submission for any bids in the amount of \$1,000 or less.
15. Regarding any bids for more than \$1,000, the bidder shall submit the amount of \$1,000 plus 10% of the bid amount over \$1,000 upon the bid submission by certified check or money order.
16. In the event that a sale is cancelled by Court Order or judgment or by the Wayne County Board of Supervisors, the successful bidder shall be entitled only to a refund of the purchase money. Purchaser shall not be entitled to special or consequential damages, nor attorney fees, nor reimbursement for any expenses incurred as a result of ownership or improvements of the property, nor for taxes paid during the period of ownership.
17. All sales shall be final, absolute and without recourse, and in no event shall Wayne County be or become liable for any defects in title for any cause whatsoever, and no claim, demand or suit of any nature shall exist in favor of the purchaser, its heirs, successors or assigns, against Wayne County arising from this sale.
18. Notice is hereby given that the premises being sold may lie within an Agricultural District as designated upon the tax map. It is the sole responsibility of any bidder to ascertain which specific parcel(s) is so designated and thereby sold subject to the provisions of law applicable thereto.
19. The purchaser's bid will be submitted to the Board of Supervisors on July 14, 2009. It shall be the purchaser's responsibility to contact the County Real Property Tax Service Agency (946-5916) on or after JULY 15, 2009 to determine whether the bid was accepted or rejected by the Board of Supervisors.
20. The purchaser must pay the balance of the purchase price (paid in cash or by certified check, bank check or money order payable to the Wayne County Treasurer) together with the necessary recording taxes and fees (paid in cash or check payable to the Wayne County Clerk) to the County Attorney's Office not later than July 29, 2009 by 3:00 p.m. Upon receipt of such payments, the deed will be recorded in the County Clerk's Office and mailed to the purchaser upon completion of the recording process. ALL DEEDS SHALL BE EXECUTED SOLELY IN THE NAME OF THE BIDDER (AND SPOUSE, IF REQUESTED) AS SUBMITTED IN THE BID DOCUMENTS. If the purchaser fails to make such payments on or before July 29, 2009, the sale shall be deemed cancelled, the County shall not be obligated to convey the property to the purchaser, and the purchaser's deposit shall be retained by the County as liquidated damages.

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

RESOLUTION NO. 453-09: AUTHORIZING AGREEMENT WITH HARRIS BEACH, LLP FOR BOND COUNSEL SERVICES FOR OLD NURSING HOME RENOVATION PROJECT

Mr. Lyon presented the following:

WHEREAS, the County of Wayne has authorized a project for the renovation of the Old Wayne County Nursing Home; and

WHEREAS, the county is contemplating financing said project in whole or part by the issuance of either bans or bonds; and

WHEREAS, it will be necessary to engage bond counsel; and

WHEREAS, the legal firm of Harris Beach, LLP previously provided satisfactory bond counsel services to the County with regards to the New Nursing Home construction project; now, therefore, be it

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

RESOLVED, that charges shall be in accordance with the following fee structure:

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

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

RESOLUTION NO. 454-09: AUTHORIZATION FOR SETTLEMENT OF CLAIM – WILLIAM ROWLEY

Mr. Lyon presented the following:

WHEREAS, a vehicle owned by Wayne County caused damage to an electric pole owned by William Rowley; and

WHEREAS, the said vehicle backed from a driveway on 5960 Tallman Road, Savannah, NY into said electric pole on March 25, 2009 at approximately 2:41 P.M. causing damage in the amount of One Hundred Two and 22/100 (\$102.22); now, therefore, be it

RESOLVED; in settlement of said claim that the Wayne County Treasurer is hereby authorized and directed pay William Rowley the sum of One Hundred Two and 22/100 Dollars (\$102.22) from Account #1930 (Judgment & Claims) as directed by the Wayne County Attorney.

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

RESOLUTION NO. 455-09: CONCUR WITH COUNTY TREASURER'S RECOMMENDATION TO WITHDRAW CERTAIN PROPERTIES WITH ENVIRONMENTAL ISSUES FROM FORECLOSURE PROCESS

Mr. Lyon presented the following:

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

RESOLVED, that the Board of Supervisors concur with the County Treasurer's recommendation that these real property list below be withdrawn from the foreclosure process.

Auction #	Property location	Owner	TM #
TOWN OF ARCADIA			
Seq # 45	1309 North Main Street	Alfred Drew	68111-10-418600
Seq # 119	1791 Welcher Road	Daniel D Pullen	68112-20-830042
TOWN OF GALEN			
Seq # 309	49 Glasgow Street	Sandra L Fischette	74112-14-367345
TOWN OF LYONS			
Seq # 610	Cole Road	Stockton Land Company	71111-14-411405
Seq # 611	Cole Road	Stockton Land Company	71111-14-475388
Seq # 612	100 Cole Road	Stockton Land Company	71111-14-481422
TOWN OF MACEDON			
Seq # 715	Quaker Road	David R. Morrison	62112-00-086345
Seq # 719	1156 Quaker Road	David R. Morrison	62112-00-239302
Seq # 720	2009 Canandaigua Road	David Morrison	62112-00-307310

TOWN OF SODUS

Seq # 1339 6263 Ridge Road W Edward J Winder 68117-00-664972
Seq # 1457 8423 Wagemaker Road Barker Chemical Co. 71115-00-365790

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

RESOLUTION NO. 456-09: AUDIT OF CLAIMS – June 16, 2009

Mr. Lyon presented the following:

WHEREAS, the following claims submitted at this meeting of the Board of Supervisors have been examined and approved by the appropriate Committees; now, therefore, be it

RESOLVED, that the following Claims totaling **\$2,871,820.74** are hereby approved for payment and the Treasurer is hereby authorized and directed to make payment of the same:

1. A Fund	\$ 1,988,218.32
2. D Fund	\$ 390,442.87
3. DM Fund	\$ 79,829.31
4. E Fund	\$ 282,962.86
5. H Fund	\$ 39,805.06
6. MS Fund	\$ 67,874.32
7. S Fund	\$ 22,688.00
Warrant Total	\$ 2,871,820.74

and be it further

RESOLVED, that the following utilities totaling **\$110,492.86**, processed pursuant to Resolution No. 176-78, are hereby ratified:

1. A Fund	\$ 33420.60
2. DM Fund	\$ 53505.52
3. E Fund	\$ 23566.74
Utility Total	\$ 110,492.86

and be it further

RESOLVED, that miscellaneous disbursement checks were processed for the following County Departments, totaling **\$157,703.87** are hereby ratified:

1. Nursing Home	\$ 1,912.00
2. Sheriff-Misc.	\$ 765.97
3. Sheriff-Pistol Permits	\$ 2,827.50
4. Social Services	\$ 1,087.50
5. County Attorney	\$ 12,170.89
6. Public Health	\$ 879.00
7. Workers' Comp	\$ 138,061.01
Misc. Disbursement Total	\$ 157,703.87

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

RESOLUTION NO. 457-09: AUTHORIZATION TO EXECUTE AGREEMENT BETWEEN THE COUNTY OF WAYNE AND TOWN OF SAVANNAH TO PROVIDE LAW ENFORCEMENT SERVICES FOR COMMUNITY DAYS

Mrs. Bender presented the following:

WHEREAS, the Town of Savannah has requested the assistance of the Wayne County Office of Sheriff to provide additional law enforcement services for Community Days; and

WHEREAS, the Wayne County Office of Sheriff is able and willing to provide said services; and

WHEREAS, the Town of Savannah is willing to reimburse the County for said services in the amount of one and one half (1½) times the normal hourly rate for each deputy sheriff

assigned to provide services to the Town of Savannah; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an agreement with the Town of Savannah, subject to the County Attorney's approval as to form and content, for the provision of law enforcement services to the Town of Savannah for Community Days on June 12, 2009 with compensation from the Town to the County as set forth above.

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

Ms. Park moved, seconded by Mrs. Crane that four (4) resolutions be allowed on the floor under Other Business. Upon roll call, all Supervisors voted Aye. Absent – Supervisor Plant. Motion carried.

RESOLUTION NO. 458-09: RESOLUTION OPPOSING NEW YORK STATE SENATE BILL 2247, ASSEMBLY BILL 1867, AND THE OVERTIME PROVISIONS OF SENATE BILL 5212 AMENDING THE LABOR LAW AS IT PERTAINS TO THE AGRICULTURAL INDUSTRY

Mr. Spickerman presented the following:

WHEREAS, Farm families in New York State provide a substantial portion of the food that New Yorkers consume; and

WHEREAS, more and more produce that is consumed is imported from other countries because those countries have much lower labor costs and lower regulatory standards; and

WHEREAS, the New York Farm Bureau has indicated that it opposed to certain proposed amendments to the New York State Labor Law because the changes will be detrimental to the agricultural industry; and

WHEREAS, Agricultural Workers are protected by both the Federal Migrant and Agricultural Seasonal Protection Act and the Agricultural Fair Labor Standards Act; and

WHEREAS, Agricultural Workers are protected by the State minimum wage laws, the State sanitary housing code for farm employees and worker protection standards; and

WHEREAS, Requiring Collective Bargaining, Overtime, and Disability for Farm Employees would place additional financial burdens on the New York State Agricultural Industry; and

WHEREAS, it is imperative that New York State Agriculture Industry remain competitive in the local, national and international marketplaces; now therefore be it

RESOLVED, that the Wayne County Board of Supervisors is opposed to the proposed amendments to the New York State Labor Law as it pertains to requiring Collective Bargaining, Overtime, and Disability for Farm Employees; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to send a copy of this resolution to Governor David A. Paterson; United States Congressman Daniel Maffei; NYS Assembly Leader Sheldon Silver; NYS Senate Leader Joseph L. Bruno; Assemblyman Robert C. Oaks; Assembly Minority Leader Brian M. Kolb; NYS Senator Michael F. Nozzolio; United States Senator Charles Schumer; United States Senator Kirsten Gillibrand; and all others deemed necessary and proper.

Mr. Lauderdale moved, seconded by Ms. Park that the last "RESOLVED" clause be amended to read as follows:

"RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to send a copy of this resolution to Governor David A. Paterson; United States Congressman Daniel Maffei; NYS Assembly Leader Sheldon Silver; Assemblyman Robert C. Oaks; Assembly Minority Leader Brian M. Kolb; NYS Senator Michael F. Nozzolio; United States Senator Charles Schumer; United States Senator Kirsten Gillibrand; and all others deemed necessary and proper."

Upon roll call to amend the resolution as requested, all Supervisors voted Aye, except

Supervisor Groat who voted Nay. Absent – Supervisor Plant. Carried.

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

RESOLUTION NO. 459-09: AUTHORIZATION SALE OF COUNTY PROPERTY TO WILLIAM DIXON

Mr. Lyon presented the following:

WHEREAS, the County of Wayne owns a parcel of land on East Port Bay, in the Town of Wolcott; and

WHEREAS, it has been determined that said parcel of land is surplus land; and

WHEREAS, William Dixon owns a parcel of land on East Port Bay Road, in the Town of Wolcott, Tax Account #75120-19-518193, which encroaches on said land owned by the County of Wayne; and

WHEREAS, William Dixon is desirous of purchasing a portion of said property from the County of Wayne consisting of .021 acres for the sum of Twenty Five and 00/100 dollars (\$25.00), together with the cost of the survey and all other closing costs; now, therefore, be it

RESOLVED, that the terms of sale are as follows:

1. William Dixon will pay the County of Wayne Twenty Five and 00/100 dollars (\$25.00) for the purchase of said land owned by the County of Wayne.
2. William Dixon will pay for the survey and all closing costs.
3. William Dixon will execute a contract of sale with the County of Wayne.
4. The County of Wayne will provide William Dixon with a quit-claim deed.

and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute any documents necessary to complete the sale of said property to William Dixon on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 460-09: AUTHORIZE THE CLERK OF THE BOARD TO PROCESS A WARRANT FOR COUNTY TREASURER'S OFFICE FOR APPLICATION FEES

Mr. Lyon presented the following:

WHEREAS, the application for GFOA to review Wayne County's Financial Statements is due 6/30/09; and

WHEREAS, payment is required upon the submission of the application; now, therefore, be it

RESOLVED, that the Clerk of the Board is authorized to process a warrant for GFOA, in the amount of \$580.00.

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

RESOLUTION NO. 461-09: AUTHORIZE THE CLERK OF THE BOARD TO PROCESS A WARRANT FOR THE WAYNE COUNTY NURSING HOME FOR REIMBURSEMENT OF PREPAYMENT BY A RESIDENT WHO HAS LEFT THE WAYNE COUNTY NURSING HOME

Ms. Park presented the following:

WHEREAS, residents are required, at times to prepay on their account for services rendered at the Wayne County Nursing Home; and

WHEREAS, when a resident leaves the WC Nursing Home there may be a credit due them or their estate; and

WHEREAS, a reimbursement must be paid to the former resident once their financial obligation has been satisfied; now, therefore, be it

RESOLVED, that the Clerk of the Board is authorized to process warrants for reimbursement of overpayments of residents obligation once departing the Wayne County Nursing Home in accordance with Department of Health regulations.

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

Prior to adjournment, County Administrator Marquette addressed the board to distribute a memo and summary spreadsheet for the 2010-2014 Wayne County Capital Improvement Program.

ADJOURNMENT:

The next scheduled meeting of the Board is Tuesday, July 21, 2009 at 9:00 a.m.

Ms. Park moved, seconded by Mr. Kelsch, that the board adjourn at 7:42 p.m. Carried.

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