

4<sup>th</sup> Day  
Thursday, February 23, 2006  
9:00 a.m.

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

Upon roll call, all Supervisors were present. County Attorney Daniel Wyner and Interim-County Administrator Keith Kubasik were also present.

**APPROVAL OF MINUTES:**

Mr. Colvin moved, seconded by Mr. DeSanto, that the minutes of the previous meeting be approved as printed. Upon roll call, carried.

**SUMMARY OF CLAIMS:**

<b>Committee No. 2</b>	<b>Personnel and Supervisors</b>	
A10104	Legislative Board	971.08
A10404	Clerk Legislative Board	144.39
A14204	County Attorney	1,608.21
A14304	Personnel Department	373.01
A16724	Court House Xerox	336.00
		3,432.69
<b>Committee No. 3</b>	<b>Assessment and Insurance</b>	
A13552	Assessment - Real Property Tax	3,196.52
A13554	Assessment - Real Property Tax	3,750.52
A14314	Cafeteria Plan	1,290.00
A19104	Unallocated Insurance	6,206.29
A19304	Judgments & Claims	16,845.61
		31,288.94
<b>Committee No. 4</b>	<b>Judicial</b>	
A11654	District Attorney	2,383.56
A11704	Public Defender	8,335.22
A11724	Legal Defense of Indigents	62,683.29
A11734	Wayne Pre-Trial Services, Inc.	8,527.83
A11854	Coroner	4,571.34
A11904	Grand Jury	983.70
A31404	Probation	3,756.97
		91,241.91
<b>Committee No. 5</b>	<b>Buildings, Grounds and Parks</b>	
A16152	Building & Grounds	2,085.00
A16154	Building & Grounds	47,615.09
		49,700.09
<b>Committee No. 6</b>	<b>County Clerk, Elections and Veterans</b>	
A14102	County Clerk	2,050.75
A14504	Board of Elections	1,295.21
A65104	Veteran Services	4,790.57
		8,136.53
<b>Committee No. 7</b>	<b>Highway</b>	
A16404	Central Garage	13,869.43
D50104	Highway Administration	2,361.73
D50204	Highway Engineering	145.70
D51104	Maintenance of Roads & Bridges	19,321.47
D51114	Road Striping & Sign Maint	7,211.31
D51122	Road Construction	30,645.01

	D51424	Snow Removal - County	433,251.87
	DM51304	Road Machinery	84,974.39
			591,780.91
<b>Committee No. 8</b>		<b>Social Services</b>	
	A60104	Administration	110,242.39
	A61094	Family Assistance	80.00
	A61234	Juv Delinquent Care	14,307.74
	A61404	Safety Net	760.00
	A62144	Economic Opportunity & Develop	243.96
	CD62934	WIA Adult	137.99
	CD62944	WIA Dislocated	678.12
	E	Enterprise (Nursing Home)	63,766.17
	E60004	NH Combined	361,243.93
			551,460.30
<b>Committee No. 9</b>		<b>Historical and Education</b>	
	A24904	Community College	106,672.70
	A74104	Library	47,182.50
			153,855.20
<b>Committee No. 10</b>		<b>Finance</b>	
	A13254	Treasurer	214.54
	A13644	Expenses on Prop Acquired For	107.69
	A16714	Printing Department	5,858.58
	A16804	Information Technology	1,387.35
	H19082	FMS System Update	6,697.14
	MS90554	Disability	3,500.00
	S17104	Workmen's Comp	68,538.00
			86,303.30
<b>Committee No. 11</b>		<b>Public Health</b>	
	A40104	Public Health	4,428.53
	A40114	Public Health Service	25,342.60
	A40164	PH - Early Intervention 0-1	193,824.08
	A40174	PH - Child w/Spec Needs 3-5	674,719.61
	A40184	Public Health Education	3,699.44
	A40191	Wayne Community Nursing Care	242.39
	A40194	Wayne Community Nursing Care	52,552.46
	A40204	PH - EMS Coordinator	0.00
	A43004	Behavioral Health	81,166.26
	A43224	Community Providers	166,843.05
			1,202,818.42
<b>Committee No. 12</b>		<b>Planning</b>	
	A63264	Economic Development Admin	24,789.00
	A64104	Publicity (Tourism)	1,915.29
	A64114	Tourism Matching Funds Program	2,351.15
	A80204	Planning Board	16,443.94
	A81604	Solid Waste Management	242,342.75
	A86874	Economic Development Zone Admn	8,382.26
	CD60014	HUD Grant	195,000.00
			491,224.39
<b>Committee No. 13</b>		<b>Public Safety</b>	
	A31104	Sheriff	9,866.03
	A31114	Sheriff - Recreational Safety	1,082.85
	A31124	Sheriff - Civil Office	2,461.15
	A31134	Sheriff - Juvenile Office	467.73
	A31144	Sheriff - Road Patrol	13,144.38

	A31154	Sheriff - Detective Unit	2,330.64
	A31164	Sheriff - Court Security	1,498.00
	A31504	Sheriff - Jail	70,647.01
	A33154	Stop DWI	3,158.62
	A34104	Mutual Aid (Fire Coordinator)	714.55
	A36404	Emergency Management Office	8,839.15
	A36424	E911 Communications	4,383.18
	A36442	ALS Services	1,790.00
	A36444	ALS Services	3,216.71
	A66104	Consumer Affairs (W&M)	145.51
			123,745.51
<b>Committee No. 14</b>		<b>Agriculture, Aging, Youth and Recreation</b>	
	A67724	Area Agency on Aging	35,906.84
	A73104	Youth Bureau	26,227.38
	A87544	County Extension Serv	103,069.75
			165,203.97
		<b>Warrant Total</b>	<b>3,550,192.16</b>
		<b>During the Month Utilities</b>	<b>199,887.84</b>

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

**COMMUNICATIONS RECEIVED:**

The Sheriff's Report for the month of January in the amount of \$9,968.19 was received and filed.

A thank you letter was received from the Town of Walworth Highway Department, complementing the Wayne County Highway Department on the construction of the wood deck bridge on Canandaigua Road in the Town of Walworth.

A thank you note was received from the Red Creek Boys Soccer Team, thanking the Board for their continued support to their team and to all of Red Creek Central School District's sports programs.

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

Mr. LeRoy moved, seconded by Mrs. Collier, that the Communications be received and filed. Upon roll call, carried.

**ANNUAL REPORTS:**

WC EMS Coordinator  
Wayne County Clerk  
WC Department of Probation  
Wayne Pre-Trial Services

Mr. Hammond moved, seconded by Mr. Lyon, that the Annual Reports be received and filed. Upon roll call, carried.

**SCHEDULED BUSINESS:**

Mr. Ralph Calabrese, Commander of the Korean War Veterans Finger Lake Chapter, addressed the Board to give an update of the Canandaigua VA Medical Center and thanked the Board for their continued support.

**RESOLUTION NO. 76-06: AUTHORIZATION TO RESCIND RESOLUTION NO. 621-05 ADOPTING POLICY IN RELATION TO THE REFILLING OF VACANT POSITIONS**

Mr. Jenkins presented the following:

WHEREAS, the Wayne County Board of Supervisors adopted Resolution No. 621-05 that established a hiring freeze policy in relation to the refilling of vacant positions within the

County; and

WHEREAS, the Board has decided to eliminate all requirements for creating and refilling positions with the exception that said requests go through the proper committee process and be adopted by a 2/3 majority vote of the full Board; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby establishes a hiring policy that all requests to create new positions or re-fill vacant positions within the county, shall be subject to a 2/3 majority vote of the full Board, after review and approval by the appropriate committees; and be it further

RESOLVED, that Resolution No. 621-05 is hereby rescinded.

Mr. Spickerman moved the adoption of the resolution. Seconded by Mr. Fabino. Upon roll call, all Supervisors voted Aye except Supervisor Hoffman who voted Nay. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 77-06: AUTHORIZATION TO FILL VACANT POSITIONS FOR VARIOUS COUNTY DEPARTMENTS**

Mr. Jenkins presented the following:

RESOLVED, that the following Department Heads are hereby authorized to fill the vacant positions listed for their respective departments and any vacant positions created by filling these positions:

E-911 Coordinator

1 - Public Safety Dispatcher (due to resignation - effective March 1, 2006)

Director of Mental Health

1 - Staff Social Worker or Community Mental Health Professional (Due to Vacancy)

After the posting of the March 4, 2006 qualifying civil services list

Commissioner of Social Services

1 – Information Technology Coordinator (due to vacancy)

County Treasurer

1 – Account Clerk Position (due to vacancy)

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

**RESOLUTION NO. 78-06: AUTHORIZATION TO CONTRACT FOR EMPLOYEE ASSISTANCE PROGRAM FOR 2006 WITH THE HEALTH ASSOCIATION**

Mr. Jenkins presented the following:

WHEREAS the Health Association provided the County of Wayne with an Employee Assistance Program for the past two years; and

WHEREAS, the County of Wayne is desirous of entering into an agreement with The Health Association for the period of January 1, 2006 – December 31, 2006 for the provision of an Employee Assistance Program at a rate of \$15.25 per employee for the year 2006; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with The Health Association for the period of January 1, 2006 – December 31, 2006 for the provision of an Employee Assistance Program at a rate of \$15.25 per employee for the year 2006; and further

RESOLVED, that the County Treasurer is authorized to make payment to the Health Association for 2006 for an amount not to exceed \$14,716.25 and charge the individual departments accordingly.

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

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

**RESOLUTION NO. 79-06: AUTHORIZATION TO MODIFY AREA AGENCY ON AGING BUDGET AND PURCHASE EQUIPMENT**

Mr. Molino presented the following:

WHEREAS, per Resolution No. 702-05 the Department of Aging and Youth was awarded the Long Term Care Insurance, Education and Outreach grant and was authorized to modify the county budget to reflect the respective increases and was also given authorization to purchase a copier using these funds, and

WHEREAS, shortly after the Resolution passed, Wayne County determined it was more economical to lease a copier as opposed to purchasing the equipment, as a result our department never ordered nor vouchered for the equipment in 2005, and

WHEREAS, the Department of Aging and Youth will need to modify the LTCIEOP State grant budget by deleting the copier and adding the equipment listed below in order to maximize the LTCIEOP grant reimbursement. The LTCIEOP grant year runs April 1, 2005 through March 31, 2006; and

WHEREAS, the LTCIEOP funds were not utilized in 2005, we will need to increase the 2006 budget in the amount of \$7,059.12; now, therefore, be it

RESOLVED, the Wayne County Department of Aging and Youth is requesting authorization to make the necessary budget modifications to reflect these changes and that the Treasurer is directed to make the following amendments to the 2006 County budget; and be it further

RESOLVED, that the department is hereby authorized to purchase the following equipment;

1 Desk	\$499
4 Chairs	1,000
1 File cabinet	157
4 PC's	5,215
1 Printer	<u>189</u>
TOTAL	\$7,060

RESOLVED, that the County Treasurer make the following amendment to the 2006 County Budget within **Account No. A6772 - Area Agency on Aging**

Increase .2200 by \$1,656 (Office Equipment)

.2201 by \$5,404 (Computer Equip)

.3772 by \$7,060 (State Aid-Program for Aging)

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

**RESOLUTION NO. 80-06: AUTHORIZATION TO APPOINT MEMBER TO THE WAYNE COUNTY YOUTH BOARD**

Mr. Molino presented the following:

WHEREAS, the Chairman of the Board of Supervisors has recommended the appointment of the following person to the Wayne County Youth Board, subject to the confirmation of such appointment by the Board of Supervisors:

Valerie Hippert  
WC Workforce Development  
30 Church Street  
Lyons, NY 14489

RESOLVED, that the appointment of Valerie Hippert, Representative for Wayne County, as a member of the Wayne County Youth Board, is hereby confirmed.

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

**RESOLUTION NO. 81-06: STATE PHARMACEUTICAL ASSISTANCE PROGRAM (SPAP)**

**GRANT APPLICATION**

Mr. Molino presented the following:

WHEREAS, the Wayne Department of Aging and Youth has received the State Pharmaceutical Assistance Program grant application; and

WHEREAS, the goal of SPAP grant is to maximize participation of Elderly Prescription Insurance Counseling (EPIC) enrollees in the new Medicare Part D prescription drug coverage program; and

WHEREAS, the SPAP grant award for Wayne County is in the amount of \$100,000 and is 100% federal funded and the SPAP program year runs from October 1, 2005 through September 30, 2006; now, therefore, be it

RESOLVED, the Department of Aging and Youth is hereby authorized to apply for the SPAP grant in the amount of \$100,000 for the program year October 1, 2005 through September 30, 2006.

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

**RESOLUTION NO. 82-06: AUTHORIZE CHAIRMAN TO SIGN EXTENSION OF FEMA PLANNING GRANT FROM MARCH 31, 2006 TO JANUARY 27, 2007**

Mrs. Bender presented the following:

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign a contract extension with the State Emergency Management Office to extend the time limit for the Hazard Mitigation Planning Grant from March 31, 2006 until January 27, 2007, to allow for plan submission, review, revision if appropriate, approval and funding reimbursement.

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

**RESOLUTION NO. 83-06: AUTHORIZATION TO EXECUTE INMATE HOUSING AGREEMENT WITH SENECA COUNTY SHERIFF'S OFFICE**

Mrs. Bender presented the following:

RESOLVED, that the Chairman of the Wayne County Board of Supervisors and Wayne County Office of Sheriff are hereby authorized and directed to execute an inmate housing agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Seneca County for housing Wayne County inmates in Seneca County Jail at a cost of \$85 per day for the contract period of January 1, 2006 through December 31, 2006.

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

**RESOLUTION NO. 84-06: AUTHORIZATION TO EXECUTE INMATE HOUSING AGREEMENT WITH CAYUGA COUNTY SHERIFF'S OFFICE**

Mrs. Bender presented the following:

RESOLVED, that the Chairman of the Wayne County Board of Supervisors and Wayne County Office of Sheriff are hereby authorized and directed to execute an inmate housing agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Cayuga County for housing Wayne County inmates in Cayuga County Jail at a cost of \$90 per day for the contract period of January 1, 2006 through December 31, 2006.

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

**RESOLUTION NO. 85-06: AUTHORIZATION TO CONTRACT WITH MICHAEL SCHANK, POLYGRAPH OPERATOR, FOR SHERIFF'S OFFICE**

Mrs. Bender presented the following:

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract of behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Michael Schank, 3013 Wood Road, Himrod, NY 14842, Polygraph Operator, to conduct Employee pre-testing at \$150 per perspective employee for the Wayne County Office of Sheriff for the contract period of January 1, 2006 through December 31, 2006.

Mr. Colvin moved the adoption of the resolution. Seconded by Mr. Molino. Upon roll call, adopted.

**RESOLUTION NO. 86-06: AUTHORIZING THE SHERIFF TO OBTAIN A REPLACEMENT UNMARKED PATROL VEHICLE**

Mrs. Bender presented the following:

WHEREAS, an unmarked Wayne County Sheriff's Vehicle was involved in an accident on October 7, 2005 and the vehicle has been declared totaled by the Insurance Company and the County Attorney's Office is currently dealing with the Insurance Company on the value of the vehicle; and

WHEREAS, the Sheriff requests that the vehicle be replaced and any funds received from the Insurance Company be returned to the uninsured fund; and

WHEREAS, funds to replace this vehicle should be taken from the uninsured fund; now, therefore, be it

RESOLVED, that the Wayne County Sheriff is hereby authorized and directed to purchase a 2006 State Bid Vehicle to replace vehicle totaled on October 7, 2005.

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

**RESOLUTION NO. 87-06: AUTHORIZATION FOR SHERIFF AND CHAIRMAN TO SIGN ANNUAL FEDERAL EQUITABLE SHARING CERTIFICATION FOR YEAR ENDING 12/31/05**

Mrs. Bender presented the following:

RESOLVED, that the Chairman of the Wayne County Board of Supervisors and the Wayne County Sheriff are hereby authorized and directed to sign the Federal Annual Certification Report with regard to the Asset Forfeiture Program.

Mr. Colvin moved the adoption of the resolution. Seconded by Mr. Jenkins. Upon roll call, adopted.

**RESOLUTION NO. 88-06: AUTHORIZATION TO EXECUTE AGREEMENT WITH MERCY FLIGHT CENTRAL, INC.**

Mrs. Bender presented the following:

WHEREAS, the Flight Nurses and Flight Paramedics employed by Mercy Flight Central, Inc. are required to complete regular clinical rotations for maintenance of skills; and

WHEREAS, Mercy Flight Central, Inc. has requested permission for their employees to ride with Wayne County ALS Services personnel, as part of their continuing clinical education requirement; and

WHEREAS, any Mercy Flight personnel accompanying Wayne County personnel would be paid and insured by Mercy Flight while accompanying Wayne County personnel; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to sign an agreement with Mercy Flight Central, Inc. relative to Wayne County ALS Services providing Mercy Flight personnel with opportunities for continuing educational experience with Wayne County ALS Services, with the agreement to be subject to the approval of the County Attorney as to form and content.

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

**RESOLUTION NO. 89-06: AUTHORIZATION TO DECLARE EQUIPMENT SURPLUS FOR**

**STOP-DWI COORDINATOR**

Mrs. Bender presented the following:

RESOLVED, that the following equipment is no longer of use to the Stop DWI Department and is hereby declared surplus and the Superintendent of Buildings and Grounds is hereby authorized to dispose of it in accordance with County policy:

Konica 2020 Copier S# 552221371  
Located at Williamson State Police Station

Konica 2020 Copier S# 552226096  
Located at Wolcott State Police Station

Mr. Colvin moved the adoption of the resolution. Seconded by Mr. Jenkins. Upon roll call, adopted.

**RESOLUTION NO. 90-06: AUTHORIZATION TO ADVERTISE FOR BIDS FOR UNIFORMS FOR THE SHERIFF'S OFFICE**

Mrs. Bender presented the following:

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized to advertise for bids for uniform purchases for the Sheriff's Office 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 Mr. Colvin. Upon roll call, adopted.

**RESOLUTION NO. 91-06: AUTHORIZATION TO ADVERTISE FOR BIDS FOR DRYCLEANING SERVICES FOR THE SHERIFF'S OFFICE**

Mrs. Bender presented the following:

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized to advertise for bids for dry cleaning services for the Sheriff's Office 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 Mr. Molino. Upon roll call, adopted.

**RESOLUTION NO. 92-06: SETTING DATE FOR PUBLIC HEARING REQUIRED IN REVIEW OF CONSOLIDATED AGRICULTURAL DISTRICT NO. 2**

Mr. Spickerman presented the following:

WHEREAS, pursuant to Article 25 AA, Section 303-a of the Agriculture and Markets Law, the Board of Supervisors is required to review any Agricultural District within the County every eight years if the District was adopted prior to August 1, 1983; and

WHEREAS, the Board of Supervisors is now conducting the review for Consolidated Agricultural District No. 2 in the Towns of Palmyra, Marion and Williamson which will adopt the creation and anniversary dates of the original Agricultural District No. 9, September 01, 1985 and September 01, 1993 respectively; and

WHEREAS, in conducting the review process, the Board of Supervisors has asked for recommendations from the Wayne County Agricultural and Farmland Protection Board and the Wayne County Planning Board as required by the provision of Section 303-a; and

WHEREAS, the review process requires the Board of Supervisors to hold a public hearing at a place within the District or otherwise readily accessible to the District; now, therefore, be it

RESOLVED, that the public hearing required in the eight year review for Consolidated District No. 2 shall be held on Wednesday, March 22, 2006 commencing at 7:00 PM in the Marion High School, 4034 Warner Rd., Marion, New York 14505 at which time the recommendations of the Wayne County Agricultural and Farmland Protection Board and the Wayne County Planning Board will be considered and all parties and interested citizens will be given the opportunity to be heard by the Board of Supervisors; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to give notice of the public hearing for Consolidated Agricultural District No. 2, as required by law, by publication at least five (5) days before the hearing in the Times of Wayne County, Macedon, New York and the Sun and Record, Williamson, New York, the official newspapers of the County of Wayne, and also by mailing individual notices to those municipalities whose territories encompass the District, the persons whose land is the subject of a proposed modification within the District and the Commissioner of the NYS Department of Agriculture and Markets.

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

**RESOLUTION NO. 93-06: AUTHORIZATION TO ADMINISTER TECHNICAL ASSISTANCE COMMUNITY DEVELOPMENT BLOCK GRANT ON BEHALF OF THE VILLAGE OF SODUS POINT**

Mr. Spickerman presented the following:

WHEREAS, the Village of Sodus Point was recently awarded \$15,000 in Community Development Block Grant (CDBG) funds from the NYS Governor's Office for Small Cities to undertake a strategic planning project; and

WHEREAS, the Village of Sodus Point authorized the Wayne County Planning Department to administer this project on its behalf; and

WHEREAS, the County of Wayne and the Village of Sodus Point are authorized to enter into an Intergovernmental Agreement under Title 24 of the Code of Federal Regulations, Part 85, Subpart C, Section 36 (b) (5), which stipulates that grantees are encouraged to enter into State and local intergovernmental agreements for procurement or use of common goods and services in order to foster greater economy and efficiency; and

WHEREAS, \$4,500 in funds are included in said grant for administrative fees, \$3,750 of which would be eligible for payment to the County of Wayne for administrative services delivered by the Planning Department; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to execute an Intergovernmental Agreement for the administration of the Village of Sodus Point's 2005 Technical Assistance CDBG, subject to approval as to form and content by the County Attorney; and be it further

RESOLVED, that the County of Wayne is authorized to collect fees from the Village of Sodus Point not to exceed \$3,750 in connection with the Planning Department's role as project administrator.

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

**RESOLUTION NO. 94-06: AUTHORIZATION TO AMEND 2006 PLANNING DEPARTMENT BUDGET**

Mr. Spickerman presented the following:

WHEREAS, Wayne County received a grant from Senator Nozzolio in the amount of \$40,000 to dredge portions of the Clyde River and restore flow conditions to the River; and

WHEREAS, at the end of 2005, there was \$35,550 remaining in this grant; and  
WHEREAS, an incorrect amount was budgeted for 2006 for the Clyde River Dredging Project; now, therefore be it

RESOLVED, that the County Treasurer is authorized and directed to amend the 2006 Planning Budget as follows:

Increase Appropriations A8020.4551 (Clyde River Dredging) from \$20,550 to \$35,550  
Increase Revenues A8020.3715 (Clyde River Dredging) from \$20,550 to \$35,550

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

**RESOLUTION NO. 95-06: APPOINTMENTS TO THE GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL**

Mr. Spickerman presented the following:

RESOLVED, that the following are hereby appointed to the Genesee Finger Lakes Regional Planning Council commencing immediately and expiring December 2007:

James D. Hoffman, Chairman, Board of Supervisors,

David Lyon, Supervisors, Town of Palmyra, as an alternate representative of Chairman of the Board

James Fabino, Supervisor, Town of Lyons

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

**RESOLUTION NO. 96-06: OPPOSING LAKE ONTARIO WATER LEVEL PLAN RECOMMENDATION TO THE INTERNATIONAL JOINT COMMISSION**

Mr. Spickerman presented the following:

WHEREAS, the International Joint Commission was charged by the governments of the United States and Canada to review the orders of approval for the regulation of water levels and flows in the Lake Ontario/St. Lawrence River Basin; and

WHEREAS, the International Lake Ontario/St. Lawrence River Study was recently completed by the Study Team of the International Lake Ontario/St. Lawrence River Board and public hearings were held around New York State to gather public comments on the study's findings; and

WHEREAS, a public hearing was held in Wayne County at Cutters Restaurant in the Town of Huron on July 20, 2005 where over 100 area residents attended; and

WHEREAS, the overwhelming opinion of those in attendance supported retaining the water level regulation plan known as 1958-DD which provides for water level fluctuations between 243.3 feet and 247.3 feet; and

WHEREAS, subsequent to the public hearings, the Study Team was charged with recommending a plan for the regulation of water levels and flows for the Lake Ontario/St. Lawrence River Basin to the International Joint Commission; and

WHEREAS, the final report recommended Plans A, B and D, which are in direct opposition to the plan supported by residents attending the July 20, 2005 public meeting; and

WHEREAS, Plans A, B, and D will result in water levels fluctuating as low as 242 feet and as high as 249 feet, significantly above the present fluctuation range offered by Plan 1958-DD; and

WHEREAS, Plans A, B, and D will cause severe and often irreversible economic impacts to recreational boating and the businesses that serve the recreational boating community and result in more frequent and severe flooding and erosion of lakeshore and coastal properties; and

WHEREAS, the potential economic damage that will result from greater water level fluctuations will weaken Wayne County's economy, which relies heavily upon tax revenues generated from shoreline residences, water dependent businesses and water related tourism; and

WHEREAS, public investment in the Lake Ontario shoreline has exceeded \$2.7 million over the last five years, including the new Port Bay Barrier Bar revetment (\$500,000), the Sodus Bay Channel Dredging (\$340,000), the Old Sodus Point Lighthouse shoreline erosion control revetment (\$500,000); the purchase of Camp Beechwood to be converted to a State

Park (\$600,000) and the pending Sodus Point Park Improvement Project (\$780,000), all which should be protected from dramatic fluctuations in water levels that would cause significant flooding and erosion and impede recreational boating through the Sodus Bay channel; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors supports Plan 1958-DD as the preferred method for the control of water levels in the Lake Ontario/St. Lawrence River Basin and registers its strongest opposition to any plan that will promote fluctuations exceeding the range between 243.3 feet and 247.3 feet above sea level, including but not limited to Plans A, B, and D as recommended to the International Joint Commission by the Study Team; and be it further

RESOLVED, that copies of this resolution shall be provided to Congressman James T. Walsh, U.S. Senator Charles Schumer, U.S. Senator Hillary Rodham Clinton, Governor George Pataki, NY State Senator Michael Nozzolio, Assemblyman Robert Oaks and the International Joint Commission.

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

**RESOLUTION NO. 97-06: AUTHORIZATION FOR PLANNING DEPARTMENT TO ADMINISTER NEW YORK MAIN STREET GRANT ON BEHALF OF THE CLYDE CHAMBER OF COMMERCE**

Mr. Spickerman presented the following:

WHEREAS, the Clyde Chamber of Commerce was recently given notice that it will receive \$200,000 in New York Main Street (NYMS) funds from the NYS Division of Housing and Community Renewal to undertake revitalization of the Village's downtown area; and

WHEREAS, the Chamber intends to authorize the Wayne County Planning Department to administer this program on the Chamber's behalf at its February 27<sup>th</sup> meeting; and

WHEREAS, \$13,300 in funds are budgeted for administrative and program delivery fees, \$8,550 of which would be eligible for payment to the County of Wayne for administrative and program delivery fees delivered by the Planning Department; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to execute an Agreement for the administration of the Clyde Chamber of Commerce's 2005 NY Main Street Program, subject to approval as to form and content by the County Attorney; and be it further

RESOLVED, that the County of Wayne is authorized to collect fees from the Clyde Chamber of Commerce not to exceed \$8,550 in aggregate in connection with the Planning Department's role as program administrator.

Mr. Jenkins moved the adoption of the resolution. Seconded by Mr. Molino. Upon roll call, adopted.

**RESOLUTION NO. 98-06: AUTHORIZATION FOR PLANNING DEPARTMENT TO ADMINISTER NEW YORK MAIN STREET GRANT ON BEHALF OF THE SAVANNAH CHAMBER OF COMMERCE**

Mr. Spickerman presented the following:

WHEREAS, the Savannah Chamber of Commerce was recently given notice that it will receive \$187,986 in New York Main Street (NYMS) funds from the NYS Division of Housing and Community Renewal to undertake revitalization of the downtown area, formerly the Village of Savannah; and

WHEREAS, the Chamber intends to authorize the Wayne County Planning Department to administer this program on the Chamber's behalf at its next meeting; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to execute an Agreement for the administration of the Savannah Chamber of Commerce's 2005 NY Main Street Program, subject to approval as to form and content by the County Attorney.

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

**RESOLUTION NO. 99-06: APPOINT PLANNING DIRECTOR TO STATE IMPLEMENTATION PLAN COORDINATING COUNCIL**

Mr. Spickerman presented the following:

WHEREAS, the United States Environmental Protection Agency (EPA) recently revised the National Ambient Air Quality Standard (NAAQS) for ozone and finalized a NAAQS for fine particulate matter; and

WHEREAS, portions of New York State, including Wayne County, were designated as non-attainment for these EPA standards; and

WHEREAS, designation as a non-attainment area requires the revision of the State Implementation Plan (SIP) for Ozone and the development of a new SIP for Fine Particulate Matter, both which will contain policies for mobile and stationary sources of pollution that are designed to bring non-attainment areas in New York State into attainment with the NAAQS; and

WHEREAS, the Chairman of the Board of Supervisors has recommended that Sharon Lilla be appointed as his designee to serve on the State Implementation Plan Coordinating Council; now, therefore, be it

RESOLVED, that Sharon Lilla is appointed to the State Implementation Plan Coordinating Council representing Wayne County; and be it further

RESOLVED, that Sharon Lilla is authorized to attend all meetings of the State Implementation Plan Coordinating Council in Albany and that travel related expenses in connection with these meetings shall be a County charge.

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

**RESOLUTION NO. 100-06: 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") 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 remove and sell mainline track RRMP 29.73 Wallington to RRMP 33.19 Sodus Point (less MP 32.13 – 32.91) Sodus Bay Secondary Track and RRMP 1.80 – 2.00 Town of Arcadia Marion Branch Track (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 a Short Environmental Assessment Form (the "SEAF"), a copy of which is on file with the Clerk of the Board of Supervisors; and

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

RESOLVED, as follows:

1. Based upon examination of the SEAF, and based further upon the Board's knowledge of the 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 SEAF.
2. Based upon the foregoing investigation of the potential environmental impacts of the Project and considering both the magnitude and importance of each environmental impact therein indicated, the Board makes the following findings and determinations with respect to the Project:
- (a) the Project constitutes an Unlisted Action (as defined in the Regulations); and
  - (b) 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
  - (b) This determination constitutes a negative declaration for the purposes of the SEQRA Act.

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

**RESOLUTION NO. 101-06: AUTHORIZATION FOR WAYNE COUNTY HISTORICAL SOCIETY, INC. TO STORE MUSEUM COLLECTIONS IN THE ECCC BUILDING**

Mr. Spickerman presented the following:

WHEREAS, the Wayne County Historical Society, Inc., in fulfilling its mission, contributes to the betterment of all Wayne County residents through educational and historical programming; and

WHEREAS, the Wayne County Historical Society, Inc. currently occupies the Museum of Wayne County History, a building owned by the County of Wayne; and

WHEREAS, the Wayne County Historical Society's current and anticipated storage needs are not met by this building; and

WHEREAS, the Wayne County Historical Society, Inc. maintains insurance protecting its collections from theft, vandalism and acts of nature and will include the County of Wayne as an additional insured on its policies; and

WHEREAS, the Erie Canal Cultural Center (ECCC) building is currently vacant and possesses enough space to accommodate these storage needs; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to enter into an agreement with the Wayne County Historical Society, Inc. for the storage of collections in the ECCC building, subject to review as to form and content by the County Attorney; and be it further

RESOLVED, that aforesaid agreement must indemnify and hold harmless the County of Wayne, its employees, agents or representatives against any and all liability associated with the Wayne County Historical Society Inc.'s use of the ECCC building; and be it further

RESOLVED, that any costs associated with the storage of the collections of the Wayne County Historical Society, including but not limited to security and utilities, shall be at no cost to the County.

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

**RESOLUTION NO. 102-06: SETTING DATE OF PUBLIC HEARING TO RESCIND LOCAL LAW NO. 5-2005**

Mr. Spickerman presented the following:

RESOLVED, pursuant to Section 20 of the municipal Home Rule Law, the Board of Supervisors shall hold a public hearing on Tuesday, March 21, 2006 at 10 a.m. in the Supervisors Chambers in the County Court House, 26 Church Street, Lyons, New York, on the following proposed local law:

**COUNTY OF WAYNE – STATE OF NEW YORK**

A local law amending Local Law No. 3-2002 as amended by Local Law No. 7-2002, Local Law No. 2-2003, Local Law No. 4-2003, Local Law No. 1-2004, Local Law No. 2-2004, Local Law No. 3-2004, Local Law No. 5-2004, Local Law No. 5-2005 and Local Law No. 6-2005 entitled "A local law authorizing the Wayne County Industrial Development Agency on behalf of the County of Wayne, to make application for designation of certain areas within the County of Wayne as an Empire Zone".

Section 1. Local Law No. 5-2005 is hereby rescinded.

Section 2. This local law shall take effect upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to give at least five days notice of such hearing by posting such notice upon the bulletin board at the County Court House, Lyons, New York, and by publishing such notice at least once (1) in the official newspapers of the County of Wayne.

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

**RESOLUTION NO. 103-06: AUTHORIZATION TO APPOINT MEMBERS TO THE EMPIRE ZONE ADMINISTRATIVE BOARD**

Mr. Spickerman presented the following:

WHEREAS, Wayne County received designation of an Empire Zone and Resolution No. 833-02 established the Empire Zone Administrative Board; and

WHEREAS, Mary Anne Nicosia-McCarthy, Claire Fisher, Donna Chittenden, Robert Schick and Michael Jankowski were appointed to three year terms which have expired; and

WHEREAS, Claire Fisher has expressed a desire to act on a committee or as a resource person for the board, rather than as a board member; be it therefore

RESOLVED, that Mary Anne Nicosia-McCarthy, Jolene Bender, Robert Schick and Michael Jankowski are hereby appointed to three year terms on the Empire Zone Administrative Board; and, be it further

RESOLVED, that, as it appears in the application for designation, the Chair of the board shall be a member of the Board of Supervisors; and be it further

RESOLVED, that Joe DeSanto, Supervisor, Town of Arcadia, is hereby appointed Chairman of the Empire Zone Administrative Board.

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

**RESOLUTION NO. 104-06: AUTHORIZATION TO AMEND CONTRACT WITH STEPPING STONES LEARNING CENTER (RES. NO. 465-05)**

Ms. Park presented the following:

WHEREAS, the County must contract for the provision of related services for preschool age children with handicapping conditions and currently has a contract with Stepping Stones Learning Center for the provision of speech therapy; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to amend the contract to include group speech therapy at a rate of \$35.00 per half hour subject to

the county attorney's approval as to form and content for the period 3/1/06 to 6/30/07.

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

**RESOLUTION NO. 105-06: AUTHORIZING CONTRACT WITH FINGER LAKES HEARING AND AUDIOLOGY CENTER FOR 3 – 5 PROGRAM**

Ms. Park presented the following:

WHEREAS, the County must contract for the provision of related services for the 3 – 5 preschool program for children with handicapping conditions; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute contract for audiology testing and assess for hearing aides at a cost of \$160.00 per evaluation with Finger Lakes Hearing and Audiology Center for the period 3/1/06 to 6/30/07 in accordance with the rates approved by the Board of Supervisors.

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

**RESOLUTION NO. 106-06: AUTHORIZING CONTRACT WITH FINGER LAKES HEARING AND AUDIOLOGY CENTER FOR EARLY INTERVENTION PROGRAM**

Ms. Park presented the following:

WHEREAS, the County must contract for the provision of related services for 0 – 3 Early Intervention Program children with handicapping conditions; now, therefore be it

RESOLVED, pursuant that the Chairman of the Board of Supervisors is hereby authorized to execute contract for audiology testing and assessment for hearing aides at a cost of \$160.00 per evaluation with Finger Lakes Hearing and Audiology Center for the period 3/1/06 to 6/30/07 in accordance with the rates approved by the Board of Supervisors.

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

**RESOLUTION NO. 107-06: AUTHORIZATION TO ACKNOWLEDGE THE DECLARATION OF BAD DEBT FOR PUBLIC HEALTH DEPARTMENT**

Ms. Park presented the following:

WHEREAS, the Wayne County Public Health Dept. is required to acknowledge Bad Debt annually; now, therefore, be it

RESOLVED, that the Board of Supervisors acknowledges the amount of \$ 1,636.18 as 2006 Declaration from services provided in 2004.

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

**RESOLUTION NO. 108-06: AUTHORIZING CONTRACT WITH PROVIDERS FOR SERVICES FOR THE WOMEN'S HEALTH PARTNERSHIP GRANT**

Ms. Park presented the following:

WHEREAS, the county must contract for the provision of services, clinical breast exam, pelvic exams, pap smears and follow-up procedures for eligible women to the program; and

WHEREAS, the providers are willing to provide such services; and

WHEREAS, the agency would like to add Rochester General Hospital and Rochester General Hospital – Department of Surgery to our existing list of providers, now, therefore be it

RESOLVED that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract with the existing providers and two new providers as follows:

Rochester General Hospital (new)

Rochester General Hospital Department of Surgery (new)

Arcadia Family Practice

Canal Park Family Medicine

Clifton Springs Hospital and Clinic/ Finger Lakes Breast Care

East Hill Family Medial Group, LLP

Elizabeth Wende Breast Clinic  
Finger Lakes Medical Associates, LLP  
Finger Lakes Regional Health Systems, Inc.  
Morgos, Faig, MD  
Pulvino, A. Thomas, MD  
ViaHealth of Wayne  
Walker, Allan R., MD  
Wayne Medical Group  
and be it further

RESOLVED, that such contract is on behalf of Wayne County Public Health Services, subject to the providers being currently in compliance with the County's insurance and the County Attorney's approval as to form and content for contract period 4/1/06 - 3/31/07.

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

**RESOLUTION NO. 109-06: AUTHORIZATION TO AMEND AGREEMENT WITH POMCO TO INCLUDE FLU AND PNEUMOVAX RATES**

Ms. Park presented the following:

WHEREAS, POMCO is the administrator for third party health insurance for County employees and their family members; and

WHEREAS, POMCO currently has a contract with Wayne County Public Health Services for the purpose of providing home care services to its enrolled members; and

WHEREAS, Wayne County Public Health Services plans to provide influenza and Pneumococcal vaccine to County employees; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to amend the current agreement with POMCO, Inc. on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content to administer vaccines at the following rates:

Flu	\$14.21
Pneumovax	\$24.00

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

**RESOLUTION NO. 110-06: AUTHORIZATION TO DECLARE EQUIPMENT SURPLUS FOR PUBLIC HEALTH**

Ms. Park presented the following:

WHEREAS, one Lexmark IBM 4037-05E printer, serial no. 11-41327, FCCID: IYL4037-05E is old, outdated and in disrepair and can no longer obtain parts for replacement; now, therefore be it

RESOLVED, that the Director of Public Health is hereby authorized to transfer this printer to the Buildings and Grounds Department; and be it further

RESOLVED, that the said equipment is hereby declared surplus and the Superintendent of Buildings and Grounds is hereby authorized to dispose of it in accordance with County policy.

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

**RESOLUTION NO. 111-06: AUTHORIZATION TO RENEW AND EXECUTE IMMUNIZATION ACTION PLAN BUDGET AND WORKPLAN CONTRACT FOR PERIOD 04/01/06 – 03/31/07**

Ms. Park presented the following:

WHEREAS, operating budget and work plan must be submitted to the New York State Office of Public Health to secure funding (\$17,850) for the period 04/01/06 – 03/31/07 for the provision of immunization to decrease vaccine-preventable diseases; now, therefore, be it

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

the operating budget and work plan as required; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute the grant contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 112-06: AUTHORIZATION TO RENEW AGREEMENT WITH POMCO**

Ms. Park presented the following:

WHEREAS, POMCO is the administrator for third party health insurance for County employees and their family members; and

WHEREAS, POMCO currently has a contract with Wayne County Public Health Services for the purpose of providing home care services to its enrolled members, now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to renew the current agreement with POMCO, Inc. on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content for the period 9/1/05 to 8/31/06.

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

**RESOLUTION NO. 113-06: AUTHORIZATION TO SUPPORT FINGER LAKES HEALTH SYSTEMS AGENCY**

Ms. Park presented the following:

WHEREAS, the county governments provide annual support funding to the Finger Lakes Health Systems Agency for the provision of health data and information to community agencies, now, therefore, be it

RESOLVED, that the Public Health Department provide support to Finger Lakes Health System Agency in the amount of \$11,721.00 for the fiscal year 2006.

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

**RESOLUTION NO. 114-06: AUTHORIZING SUBMISSION OF CHILDREN WITH SPECIAL NEEDS PRE-K PROGRAM ANNUAL ADMINISTRATIVE COSTS INCURRED REPORT**

Ms. Park presented the following:

WHEREAS, Section 4410 of the Education Law entitles counties to receive administrative cost reimbursement of seventy-five dollars (\$75.00) per eligible preschool student with a disability or the total County Admin. Cost (whichever is lower); and

WHEREAS, a Statement of County Administrative Costs Incurred Under Section 4410 of the Education Law, July 1, 2004 – June 30, 2005 must be submitted to the State Education Department Program Services Unit by Feb. 10, 2006, in order to receive such reimbursement; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute the Pre-K Program's completed Statement of Administrative Costs Incurred Report for submission to the State Education Department for reimbursement.

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

**RESOLUTION NO. 115-06: AUTHORIZATION TO PURCHASE EQUIPMENT AND AMEND BUDGET FOR PUBLIC HEALTH**

Ms. Park presented the following:

WHEREAS, the Public Health Early Intervention Dept. has budgeted for a laser printer in the 2006 budget, and

WHEREAS, the MUNIS system requires more time spent using the system and larger, more user friendly monitors, now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to amend the .52201 equipment line in the A4016 budget to include a monitor with the already approved printer; and be it further

RESOLVED, that the Director of Public Health is hereby authorized and directed to purchase a 19" monitor at a cost not to exceed \$339.99 and a laser printer at a cost not to exceed \$815.03. (requisition # 06000103-00 and 06000104-00).

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

**RESOLUTION NO. 116-06: AUTHORIZATION TO RENEW CONTRACT WITH THE UNIVERSITY OF ROCHESTER FINGER LAKES OFFICE OF SURVEILLANCE AND EPIDEMIOLOGY (FLOSE) FOR 9/1/05 – 8/30/06**

Ms. Park presented the following:

WHEREAS, Wayne County Public Health currently contracts with the Center for Rochester's Health of the University of Rochester to meet the bioterrorism-related surveillance and epidemiology needs of the Finger Lakes Region; and

WHEREAS, the Finger Lakes Office of Surveillance and Epidemiology developed as a collaboration of the University of Rochester and the Monroe County Department of Health who will provide the direct services; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne subject to the County Attorney's approval as to form and content, with the Center for Rochester's Health of the University of Rochester for the period 9/1/05 to 8/30/06 at a cost not to exceed \$14,557.

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

**RESOLUTION NO. 117-06: AUTHORIZATION TO CONTRACT WITH JANINE QUINLAN AS PART-TIME NURSE PRACTITIONER FOR THE PUBLIC HEALTH DEPARTMENT**

Ms. Park presented the following:

WHEREAS, Christina Morse, NP will resign effective March 31, 2006; and

WHEREAS, Wayne County Public Health Services is in need of a Nurse Practitioner to cover the Sexually Transmitted Disease Clinic and other preventive health services provided by the Public Health Department; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute a contract with Janine Quinlan for the period April 1, 2006 to March 31, 2007 in the amount of \$44.00 per hour for up to eight hours per week.

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

**RESOLUTION NO. 118-06: REQUEST TO AMEND CONTRACT WITH THE COUNCIL ON ALCOHOLISM AND CHEMICAL DEPENDENCY OF THE FINGER LAKES AGENCY, AND TO AMEND WAYNE BEHAVIORAL HEALTH NETWORK 2006 BUDGET**

Ms. Park presented the following:

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services has awarded State funding in the amount of \$160,288.00 for the year 2006 to The Council on Alcoholism and Chemical Dependency of the Finger Lakes Agency; and

WHEREAS, Wayne Behavioral Health Network and the County of Wayne manages the disbursement of those funds; and

WHEREAS, the 2006 budget for Wayne Behavioral Health Network does not reflect the amount noted above as additional funding was awarded subsequent to the submission of the 2006 budget; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors, pending County Attorney's approval as to form and content, is authorized to amend the 2006 contract

with the Council on Alcoholism and Chemical Dependency of the Finger Lakes and between Wayne Behavioral Health Network; and be it further

RESOLVED, that authorization is granted to amend the Wayne Behavioral Health Network 2006 Budget to reflect the amount of \$160,288.00 to be awarded to the Council on Alcoholism and Chemical Dependency of the Finger Lakes.

Account No. A4322 - Community Providers

Revenues \$160,288 .43522 FLCNCL-ALC

Expenses \$160,288 .54690 FLCNCL-ALC

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

**RESOLUTION NO. 119-06: AUTHORIZATION FOR WAYNE BEHAVIORAL HEALTH NETWORK TO ENTER INTO CONTRACTUAL AGREEMENT WITH ACM LAB**

Ms. Park presented the following:

WHEREAS, the Wayne Behavioral Health Network (WBHN) has the clinical need to conduct urine specimen analysis on some patients to determine if the patient is under the influence of foreign substances; and

WHEREAS, the process to analyze the lab specimen is a specialized test which needs to be completed by a lab company; and

WHEREAS, WBHN will not incur any costs related to this service as the fee for this service will be the responsibility of the patient, which will reduce program costs; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors be given authorization to enter into a contractual agreement on behalf of WBHN with ACM Lab to provide urine screening services, pending approval by the County Attorney as to form and content.

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

**RESOLUTION NO. 120-06: AUTHORIZATION TO AMEND RESOLUTION 933-05: CONTRACT WITH ROBERTA LINDNER-CIOPYK FOR OCCUPATIONAL THERAPY SERVICES FOR THE COMMUNITY SERVICES CENTER OF THE WAYNE BEHAVIORAL HEALTH NETWORK**

Ms. Park presented the following:

WHEREAS, Resolution 933-05 authorized the Chairman of the Wayne County Board of Supervisors to renew a contract with Roberta Lindner-Ciopyk to provide Occupational Therapy Services to the Wayne Behavioral Health Network at an hourly rate of \$21.25 for the period 1/1/06 to 12/31/06, at a total cost not to exceed \$20,000; and

WHEREAS, the hourly rate of \$21.25 noted in resolution 933-05 was not the correct and current rate being paid to Ms. Lindner-Ciopyk in the 2005 contract; and

WHEREAS, Wayne Behavioral Health Network would like to continue to receive services provided by Ms. Lindner-Ciopyk at the same hourly rate as 2005; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is authorized to, on behalf of Wayne Behavioral Health Network, amend the contract previously authorized in Resolution 933-05, subject to County Attorney's approval as to form and content, with Roberta Lindner-Ciopyk to provide Occupational Therapy Services to Wayne Behavioral Health Network – Community Services Center at an hourly rate of \$21.50 for the period 1/1/06 to 12/31/06, at a total cost not to exceed the budgeted amount of \$17,500 in the 2006 budget.

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

**RESOLUTION NO. 121-06: AUTHORIZATION TO PURCHASE EQUIPMENT AND FURNISHINGS FOR CERTAIN COUNTY DEPARTMENTS**

Mr. Colvin presented the following:

RESOLVED, that the following Department Heads are hereby authorized to purchase the following furnishings and equipment from state bid contract or best quotes according to the County's regulations and policies for purchasing and bidding:

**Director of Information Technology**

0600139	12 - 19" monitors for various departments	\$3,993.90
	Purchase from the FMS Project Account No. H1908.2000	

**Nursing Home Administrator**

0600162	1 – EKG Machine	3,150.00
0600166	1 – Shower Gurney	542.89

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

**RESOLUTION NO. 122-06: AUTHORIZATION TO SIGN MAINTENANCE AGREEMENT FOR WAYNE COUNTY BOARD OF SUPERVISORS' COPIER**

Mr. Jenkins presented the following:

WHEREAS, the current maintenance contract on the Board of Supervisors' copy machine expired on December 28, 2005, and the Board is desirous of keeping this maintenance service on the office copier; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors does hereby authorize the Chairman of the Wayne County Board of Supervisors, to execute a maintenance agreement for the Wayne County Board of Supervisors Konica 7040 copier with Eastern Copy Products for the contract period from 12/28/2005 to 12/28/06 for a fee of \$185 per month, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 123-06: AUTHORIZING COUNTY TREASURER TO DISBURSE SURPLUS DOG LICENSE FEES**

Mr. Colvin presented the following:

WHEREAS, Pursuant to Section III of the Agriculture and Markets Law, the County Treasurer has filed a Dog License Report covering the monies remitted and the monies expended by the Treasurer under the provision of Article 7 of the Agriculture and Markets Law for the period January 1, 2005 to December 31, 2005; and

WHEREAS, said report shows, the amount of \$13,043.51 is to be apportioned to the towns ratably to the remittance made by each municipality; now, therefore be it

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

STATEMENT OF AMOUNT REMITTED AND APPORTIONED

Reporting Period: January 1, 2005 to December 31, 2005

Remitting Municipality	Amount Remitted	Rate	75% of Surplus Apportioned
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Arcadia	\$ 1,578.77	.65058	\$ 1,027.12
Butler	519.12		337.74
Galen	1,046.40		680.78
Huron	568.44		369.83
Lyons	1,412.86		919.18
Macedon	1,691.92		1,100.73
Marion	1,253.09		815.24
Ontario	1,790.38		1,164.79
Palmyra	1,435.02		933.60
Rose	642.83		418.22
Savannah	481.71		313.40
Sodus	2,097.50		1,364.59
Walworth	1,971.36		1,282.53
Williamson	1,404.16		913.53
Wolcott	1,009.14		656.54
Newark	1,146.18		745.69
TOTAL	\$ 20,048.88		\$ 13,043.51

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

**RESOLUTION NO. 124-06: AUTHORIZATION FOR THE CHAIRMAN OF THE BOARD TO SIGN AMENDED SOFTWARE DEVELOPMENT CONTRACT WITH MPR FOR MIGRATION OF SHERIFF APPLICATION FOR THE JAIL MANAGEMENT SYSTEM**

Mr. Colvin presented the following:

WHEREAS, the Board of Supervisors adopted Resolution No. 231-05 that had a January 1, 2006 completion date for the Migration of Sheriff's Application for the Jail Management System; and

WHEREAS, additional enhancements are necessary for the consolidation of existing systems that will further enhance the Sheriff Software System and an extension of time is needed in order to allow for these enhancements; and

WHEREAS, these additional enhancements have been included in the scope of work at no additional cost to the county; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an amendment to the contract with MRP Technologies, subject to the County Attorney's approval as to form and content, for the additional enhancements for Migration of Sheriff's Application for the Jail Management System with the completion date to be extended to June 30, 2006.

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

**RESOLUTION NO. 125-06: AUTHORIZE CHAIRMAN OF THE BOARD TO CONTRACT WITH RAYMOND F. WAGER, CPA. TO PERFORM AUDIT AND CONSULTING SERVICES FOR THE COUNTY**

Mr. Colvin presented the following:

RESOLVED, that the Wayne County Board of Supervisors hereby accepts the proposals submitted by Raymond F. Wager, CPA to perform the following services:

- |  |                           |
|--|---------------------------|
| 1. Regular Audit in accordance with GASB #34 | Not to exceed \$53,500.00 |
| 2. Single Audit                              | Not to exceed \$10,000.00 |
| 3. Assist with CAFR                          | Not to exceed \$7,000.00  |
| 4. Mental Health CFR                         | Not to exceed \$3,750.00  |
| 5. Home Health Medicaid Cost Report          | Not to exceed \$4,000.00  |
| 6. Department of Transportation Audit        | Not to exceed \$3,500.00  |

and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Raymond F. Wager, CPA, to perform audit and consulting services for Wayne County at the proposed cost not to exceed of \$81,750.

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

**RESOLUTION NO. 126-06: AUTHORIZATION TO PAY PIONEER LIBRARY SYSTEM 2006 APPROPRIATIONS**

Mrs. Collier presented the following:

RESOLVED, that the Clerk of the Board is hereby authorized to pay the \$94,365 appropriations to The Pioneer Library System in two (2) installments of \$47,182.50 each, in the months of February and August 2006.

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

**RESOLUTION NO. 127-06: AUTHORIZING AGREEMENT WITH WAYNE COUNTY ACTION PROGRAM, INC. FOR PAYMENT OF 2006 COUNTY APPROPRIATIONS FOR COMMUNITY ACTION PROGRAMS**

Mr. Plant presented the following:

WHEREAS, Wayne County Action Program, Inc. ("Wayne CAP") is a non-profit agency establishing and operating under the provisions of the Economic Opportunity Act of 1964, as amended, for the purpose of conducting various community action programs relating to the general welfare of the inhabitants of Wayne County; and

WHEREAS, pursuant to Section 99-h of the General Municipal Law, the Board of Supervisors of the County of Wayne has appropriated funds for the year 2006 to be used to help defray the portion of the costs of certain programs which are not reimbursed by the Federal government, as follows:

Wayne County Action Program, Inc.	\$43,983
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now, therefore, be it

RESOLVED, pursuant to Section 99-h of the General Municipal Law, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute an agreement with Wayne CAP providing for payment of such appropriations in one lump-sum payment in the amount of \$43,983.00 upon submission by Wayne CAP of a claim for payment and after audit and approval of the claim by the Board of Supervisors; and be it further

RESOLVED, that the contract shall include the following terms and conditions:

- (1) Wayne CAP shall certify that it has obtained such approvals of its programs as may be required by law.
- (2) Wayne CAP shall file annually with the Clerk of the Board of Supervisors or at such more frequent periods as may be required by the Board, a financial report with respect to the programs funded by these appropriations.
- (3) Wayne CAP shall make available its books, records, accounts and other data for inspection and audit by the County.
- (4) Wayne CAP shall defend, indemnify, hold harmless, the County and its officers, employees and agents against any and all claims, losses, damages, and lawsuits for damages arising out of or related to the programs and services provided or conducted by Wayne CAP.

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

**RESOLUTION NO. 128-06: AMEND MEDICAID ASSESSMENT CONTRACT WITH**



Term of Office ending June 30, 2008

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

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

**RESOLUTION NO. 132-06: AUTHORIZATION TO EXECUTE AN AGREEMENT BETWEEN THE WAYNE COUNTY NURSING HOME AND PASCO BUILDING AUTOMATION SYSTEMS**

Mr. Plant presented the following:

WHEREAS, PASCO Building Automation Systems will provide critical quarterly tests, repair and inspections, technical support, and software services for the Energy Management and Control System located at the Wayne County Nursing Home; and

WHEREAS, the agreement shall commence upon approval and continue for the term of one year; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with PASCO Building Automation Systems for the contract period of February 23, 2006 through February 22, 2007 at an annual cost not to exceed \$4,295.

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

**RESOLUTION NO. 133-06: AUTHORIZATION TO FILL KITCHEN POSITIONS AT THE NURSING HOME**

Mr. Plant presented the following:

WHEREAS, the Wayne County Nursing Home needs to have sufficient staff to run in a safe and effective manner; and

WHEREAS, the Food/Nutrition staff is critical in providing food preparation and related tasks imperative to providing a clean and efficient kitchen; and

WHEREAS, there are current vacant positions of two (2) full-time Food Service Helpers and one (1) part-time Cook position; now, therefore, be it

RESOLVED, that the Wayne County Commissioner of Social Services is authorized to fill two (2) vacant full-time Food Service Helpers and one (1) part-time Cook position.

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

**RESOLUTION NO. 134-06: AUTHORIZATION TO RECLASSIFY AND FILL POSITION AT THE NURSING HOME**

Mr. Plant presented the following:

WHEREAS, the Wayne County Nursing Home needs to have sufficient staff to run in a safe and effective manner; and

WHEREAS, the Wayne County Nursing Home was authorized to fill a part time Social Work Assistant position by Board Resolution No. 779-05; and

WHEREAS, the Wayne County Nursing Home has been unable to recruit for this part-time position; and

WHEREAS, the Social Work Position is critical in providing support to residents; and  
WHEREAS, it has been determined that the facility needs a minimum of two (2) full-time equivalent Social Work Assistants on staff at all times; and

WHEREAS, there is currently one (1) full-time person and one (1) part-time person; and  
WHEREAS, the current part-time Social Work Assistant has been available to fill this need; and

WHEREAS, it is recommended that the two (2) part-time Social Work Assistant positions be combined; and now, therefore, be it

RESOLVED, that the one (1) part-time Social Work Assistant position is hereby eliminated

and one (1) part-time Social Work Assistant position is hereby reclassified to full-time; and be it further

RESOLVED, that the Wayne County Commissioner of Social Services is hereby authorized to fill this newly created position.

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

**RESOLUTION NO. 135-06: AUTHORIZATION TO FILL HOUSEHOLD ASSISTANT POSITIONS AT THE NURSING HOME**

Mr. Plant presented the following:

WHEREAS, the Wayne County Nursing Home needs to have sufficient staff to run in a safe and effective manner; and

WHEREAS, the Wayne County Nursing Home consolidated positions of food service helper, cleaner, laundry work and unit assistant into the general category of household assistant to facilitate and implement the transition to the household model; and

WHEREAS, the Household Assistant is an entry level position which is critical in providing the dietary, housekeeping and laundry tasks of the home and imperative to providing a clean homelike environment; and

WHEREAS, there are currently seven (7) part-time Household Assistant positions that are vacant; now, therefore, be it

RESOLVED, that the Wayne County Commissioner of Social Services is hereby authorized to fill five (5) part-time Household Assistants positions.

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

**RESOLUTION NO. 136-06: AUTHORIZATION TO CREATE AND FILL SOCIAL WELFARE POSITIONS AT DEPARTMENT OF SOCIAL SERVICES**

Mr. Plant presented the following:

RESOLVED, that the Commissioner of Social Services is hereby authorized to create and fill two (2) Social Welfare Examiner positions; and be it further

RESOLVED, that these positions will be reviewed for cost benefits within six months from hire date and upon any change in Medicaid reimbursement to the County.

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

**RESOLUTION NO. 137-06: AUTHORIZATION TO EXECUTE AN AGREEMENT BETWEEN ELDER MEDICAL SERVICES PC AND THE WAYNE COUNTY NURSING HOME**

Mr. Plant presented the following:

WHEREAS, the Wayne County Nursing Home desires to enter into an agreement with Elder Medical Services for medical services; and

WHEREAS, Elder Medical Services agrees to provide physician coverage including medical direction and direct resident care utilizing local staff where appropriate; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Elder Medical Services, PC at a cost not to exceed \$31,920 for the contract period March 1, 2006 through February 28, 2007.

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

**RESOLUTION NO. 138-06: AUTHORIZATION TO EXECUTE A STIPULATION OF SETTLEMENT BETWEEN THE NYS DEPARTMENT OF HEALTH AND DEPARTMENT OF SOCIAL SERVICES**

Mr. Plant presented the following:

WHEREAS, the New York State Department of Health in conjunction with the New York State Office of Mental Health and the New York State Office of Mental Retardation and Developmental Disabilities have worked to resolve the issue of inaccurate identification of certain Medicaid eligibles who qualify for 621 status; and

WHEREAS, New York State is presenting a Stipulation in which New York State offers payment in full satisfaction of any improper or erroneous categorization which occurred for all periods prior to October, 2005; and

WHEREAS, the Wayne County Department of Social Services and the Wayne County Board of Supervisors desire to avoid litigation and resolve this issue in an amicable manner; and

WHEREAS, New York State is proposing a payment by the New York State Department of Health to the Wayne County Department of Social Services in the amount of \$682,074 in full resolution of any and all dispute(s); now therefore, be it

RESOLVED, that the Commissioner of Social Services is hereby authorized, upon review of the aforementioned Stipulation by the County Attorney, to sign the Stipulation of Settlement thereby accepting the New York State offer of payment in the amount of \$682,074.

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

**RESOLUTION NO. 139-06: AUTHORIZATION TO CONTRACT TREE REMOVAL CONTRACT WITH CRANE'S TREE SERVICE FOR THE COUNTY HIGHWAY DEPARTMENT**

Mr. Lyon presented the following:

WHEREAS, the Superintendent of Highways has received the following proposals for the removal of 28 trees:

Quality Tree Service PO Box 393 Seneca Falls, NY 13148	\$13,864
Empire Tree Surgeons 2288 Route 88 North Newark, NY 14513	No bid
Crane's Tree Service 7392 Dutch Street Road Wolcott, NY 14590	\$6,300

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 Crane's Tree Service without the Excess Umbrella Insurance Policy at a cost not to exceed \$6,300.00.

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

**RESOLUTION NO. 140-06: AUTHORIZATION TO CONTRACT FOR STUMP REMOVAL WITH QUALITY TREE SERVICE FOR THE COUNTY HIGHWAY DEPARTMENT**

Mr. Lyon presented the following:

WHEREAS, the Superintendent of Highways has received the following proposals for grinding approximately 28 stumps:

Quality Tree Service PO Box 393 Seneca Falls, NY 13148	\$43.00 per stump
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Empire Tree Surgeons \$54.00 per stump  
2288 Route 88 North  
Newark, NY 14513

Crane's Tree Service \$65.00 per stump  
7392 Dutch Street Road  
Wolcott, NY 14590

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 Quality Tree Service at a cost not to exceed \$1,204.00.

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

**RESOLUTION NO. 141-06: AUTHORIZATION TO EXECUTE AGREEMENT BETWEEN THE COUNTY OF WAYNE AND R.K. HITE FOR THE ALDERMAN ROAD PROJECT**

Mr. Lyon presented the following:

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 R.K. Hite for the purchase of right-of-way for the Alderman Road Project at a cost not to exceed \$26,000 (5 parcels).

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

**RESOLUTION NO. 142-06: AUTHORIZATION TO EXECUTE AGREEMENT BETWEEN THE COUNTY OF WAYNE AND R.K. HITE FOR THE MAPLE STREET ROAD, LIMEKILN ROAD, & SOUTH GENEVA ROAD PROJECT**

Mr. Lyon presented the following:

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 R.K. Hite for the purchase of right-of-way for the Maple Street Road, Limekiln Road, and South Geneva Road Project at a cost not to exceed \$15,600 (3 parcels).

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

**STATEMENT UNDER ARTICLE 6 OF THE HIGHWAY LAW BY THE COUNTY SUPERINTENDENT OF WAYNE COUNTY IN RELATION TO "COUNTY ROAD FUND" MONIES**

To the Board of Supervisors of Wayne County:

Following is a statement of roads, on the map showing the county road system for Wayne County prepared and filed by me in accordance with Section 115 of the Highway Law, proposed to be constructed or reconstructed with moneys from the County Road Fund, during the year 2006, namely:

**Project 0680 – (AKA 2680) Misc. Resurfacing Project – Towns of Sodus and Ontario**

The following road will receive paver placed chip seal and grading and leveling work: 1. Maple Avenue, Sodus. 2. Ridge Road from Monroe County Line to the Lakeside Road.

Total estimated cost of roads hereby proposed to be constructed: \$225,000.00

This statement, executed by me in triplicate is submitted for approval as required by Article 6 of the Highway Law, and copies filed in the Offices of the Superintendent of Highways, Board of Supervisors, and the County Treasurer.

Dated: 2/6/06

James P. Brady, County Superintendent

**STATEMENT UNDER ARTICLE 6 OF THE HIGHWAY LAW BY THE COUNTY SUPERINTENDENT OF WAYNE COUNTY IN RELATION TO "COUNTY ROAD FUND" MONEYS**

To the Board of Supervisors of Wayne County:

Following is a statement of roads, on the map showing the county road system for Wayne County prepared and filed by me in accordance with Section 115 of the Highway Law, proposed to be constructed or reconstructed with moneys from the County Road Fund, during the year 2006, namely:

**Project 0681 – (AKA 2681) Maple Street Road (CR 242), South Geneva Road (CD 240) and Limekiln Road (CR 243) Project – Town of Sodus**

This project will reconstruct this intersection to current standards to improve safety. The work includes approximately 1,500 L.F. of Maple Street Road, 1,200 L.F. of South Geneva Road, and 500 L.F. of Limekiln Road. Roadway relocations and right-of-way takings are required for this project.

Total estimated cost of roads hereby proposed to be constructed: \$320,000.00

This statement, executed by me in triplicate is submitted for approval as required by Article 6 of the Highway Law, and copies filed in the Offices of the Superintendent of Highways, Board of Supervisors, and the County Treasurer.

Dated: 2/6/06

James P. Brady, County Superintendent

**STATEMENT UNDER ARTICLE 6 OF THE HIGHWAY LAW BY THE COUNTY SUPERINTENDENT OF WAYNE COUNTY IN RELATION TO "COUNTY ROAD FUND" MONEYS**

To the Board of Supervisors of Wayne County:

Following is a statement of roads, on the map showing the county road system for Wayne County prepared and filed by me in accordance with Section 115 of the Highway Law, proposed to be constructed or reconstructed with moneys from the County Road Fund, during the year 2006, namely:

**Project 0682 – (AKA 2682) Newark Marion Road Paving Project (CR 220) – Towns of Marion and Palmyra**

This project involves the repaving of Newark Marion Road from O'Meal Road to Main Street in Marion, a distance of 3.6 miles in the Towns of Palmyra and Marion.

Truing and leveling with a paver placed chip seal will be placed as the finish course. A 3,500 L.F. section north of O'Meal Road will be reconstructed to improve safety.

Total estimated cost of roads hereby proposed to be constructed: \$250,000.00

This statement, executed by me in triplicate is submitted for approval as required by Article 6 of the Highway Law, and copies filed in the Offices of the Superintendent of Highways, Board of Supervisors, and the County Treasurer.

Dated: 2/6/06

James P. Brady, County Superintendent

**STATEMENT UNDER ARTICLE 6 OF THE HIGHWAY LAW BY THE COUNTY SUPERINTENDENT OF WAYNE COUNTY IN RELATION TO "COUNTY ROAD FUND" MONEYS**

To the Board of Supervisors of Wayne County:

Following is a statement of roads, on the map showing the county road system for Wayne

County prepared and filed by me in accordance with Section 115 of the Highway Law, proposed to be constructed or reconstructed with moneys from the County Road Fund, during the year 2006, namely:

**Project 0683 – (AKA 2683) Hydesville Road Paving Project (CR 221) – Towns of Palmyra and Arcadia**

This project involves the repaving of all the Hydesville Road and 0.2 mile of Newark Marion Road to O'Meal Road in the Town of Palmyra and Arcadia.

Truing and leveling with a paver placed chip seal will be the finish course. The section between Cambier Road and Lyon Road will be recycled in place and new pavement placed to improve structural capacity and ride ability of the road.

Total estimated cost of roads hereby proposed to be constructed: \$430,000.00

This statement, executed by me in triplicate is submitted for approval as required by Article 6 of the Highway Law, and copies filed in the Offices of the Superintendent of Highways, Board of Supervisors, and the County Treasurer.

Dated: 2/6/06

James P. Brady, County Superintendent

**STATEMENT UNDER ARTICLE 6 OF THE HIGHWAY LAW BY THE COUNTY SUPERINTENDENT OF WAYNE COUNTY IN RELATION TO "COUNTY ROAD FUND" MONEYS**

To the Board of Supervisors of Wayne County:

Following is a statement of roads, on the map showing the county road system for Wayne County prepared and filed by me in accordance with Section 115 of the Highway Law, proposed to be constructed or reconstructed with moneys from the County Road Fund, during the year 2006, namely:

**Project 0572 – (AKA 2672) Alderman Road Project (CR 312) – Town of Macedon**

Supplemental Appropriation - \$625,000

This project provides funds for a reconstruction project for the Alderman Road. The Alderman Road Bridge is not included in this project. The road bed is to be recycled in place, drainage improvements are to be made and sight distance improved in several areas. The road bed will be repaved to meet current standards.

Total estimated cost of roads hereby proposed to be constructed: \$625,000.00

This statement, executed by me in triplicate is submitted for approval as required by Article 6 of the Highway Law, and copies filed in the Offices of the Superintendent of Highways, Board of Supervisors, and the County Treasurer.

Dated: 2/6/06

James P. Brady, County Superintendent

**RESOLUTION NO. 143-06: AUTHORIZATION TO APPROVE 2006 HIGHWAY CONSTRUCTION PROJECT STATEMENTS AND SUPPLEMENTAL PROJECT STATEMENTS AND APPROPRIATE FUNDS**

Mr. Lyon presented the following:

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

06-80	Misc. Resurfacing Project	
	Town of Sodus & Ontario	\$225,000
06-81	Maple Street Rd, So. Geneva Rd, & Limekiln Rd	
	Town of Sodus	\$320,000

06-82	Newark Marion Road Paving Project Towns of Marion & Palmyra	\$250,000
06-83	Hydesville Road Paving Project	
06-83.1.1	Towns of Palmyra & Arcadia and supplemental project statement of proposed work for the following project:	\$430,000
05-72	Alderman Road Project	
05-73	Town of Macedon	\$625,000

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 for the following accounts:

\$225,000 to D5112.2680 (Road Construction – Misc. Resurfacing Project)

\$320,000 to D5112.2681 (Road Construction – Maple Street Rd., So. Geneva Rd.,  
Limekiln Rd. Project)

\$250,000 to D5112.2682 (Road Construction – Newark Marion Road Project)

\$430,000 to D5112.2683 (Road Construction – Hydesville Road Paving Project)

\$625,000 to D5112.2672 (Road Construction – Alderman Road Project)

\$1,300,000 from D5112.2600 (Road Construction – Highway Const)

\$200,000 from D5112.2900 (Road Construction – Bridge Const)

\$350,000 to D9999.3501 (Other-Consolidated Highway Aid)

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

**RESOLUTION NO. 144-06: AUTHORIZATION TO PURCHASE EQUIPMENT FROM STATE BID CONTRACTS FOR THE HIGHWAY DEPARTMENT**

Mr. Lyon presented the following:

RESOLVED, that the County Highway Superintendent is hereby authorized and directed to purchase the following equipment from state bid contracts:

Contract No. PC62176

1 - 2006 International 10 Wheel Dump Truck @ \$81,541.85

Contract No. PC62176,

1 - 2006 International 6 Wheel Dump Truck @ \$64,709.00

Contract No. PC62176

1 - Heil 13'6" Body & Hoist @ \$20,124.00

Contract No. PC62176

1 - Heil 10'6" Body & Hoist @ \$11,288.00

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

**RESOLUTION NO. 145-06: ACCEPT GRANT IN THE AMOUNT OF \$20,000.00 FOR THE PURCHASE OF A PASSENGER VAN FOR THE TRANSPORTATION OF WAYNE COUNTY VETERANS**

Mr. Young presented the following:

WHEREAS, the County of Wayne has been notified that the New York State Division of Veterans Affairs has approved a \$20,000.00 Grant for the Wayne County Veterans Agency to purchase a van for the transportation of County Veterans; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign the contract, based upon the review and approval of the County Attorney, with the New York State Division of veterans Affairs for an amount of \$20,000.00 for the purchase of a passenger van to be utilized to transport County veterans; and be it further

RESOLVED, that the County Veterans Office will purchase passenger van utilizing the

NYS Contract procurement process and the County of Wayne will purchase the van with reimbursement being received after the purchase.

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

**RESOLUTION NO. 146-06: AUTHORIZATION TO AMEND RESOLUTION NO. 33-06 AUTHORIZING AGREEMENT WITH NTS DATA SERVICES FOR BOARD OF ELECTIONS**

Mr. Young presented the following:

WHEREAS, the Board adopted Resolution No. 33-06 authorizing the agreement with NTS Data Services for the Board of Elections; and

WHEREAS, there was an error in the account that was stipulated and in the direction of charging the town accounts; now, therefore, be it

RESOLVED, that Resolution No. 33-06 is hereby amended to read as follows:

"RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an amendment to the agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with NTS Data Services at a cost not to exceed \$10,235 to be expended from Account No. A1450.4424 (Equip-Maint Contract) for a contract period January 1 to December 31, 2006".

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

**RESOLUTION NO. 147-06: AUTHORIZATION TO SIGN CONTRACT WITH THE VILLAGE OF LYONS FOR INDUSTRIAL WASTEWATER DISCHARGE PERMIT**

Mr. Fabino presented the following:

WHEREAS, the permit for the Discharge of Wastewater is renewed annually with the Village of Lyons at a fee of \$100.00; and

WHEREAS, the annual discharge fees agreed upon by Wayne County and the Village of Lyons in the amount of \$ 5,120.29 quarterly for a total amount annually of \$ 20481.16; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the Permit and the Superintendent of Buildings and Grounds is hereby authorized to pay all associated fees upon billing by the Village of Lyons.

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

**RESOLUTION NO. 148-06: AUTHORIZATION TO CONTRACT WITH LOZIER ENVIRONMENTAL CONSULTING, INC.**

Mr. Fabino presented the following:

WHEREAS, Wayne County is in need of an asbestos abatement project for the removal of all identified asbestos containing materials in the Old Nursing Home Structure; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Lozier Environmental Services for the purpose of preparing a bid package to abate all identified asbestos containing materials at a cost not to exceed \$8,825.00.

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

**RESOLUTION NO. 149-06: AUTHORIZATION TO EXECUTE 2006 MAINTENANCE CONTRACT WITH BI INC.**

Mr. DeSanto presented the following:

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

authorized and directed to execute an extended warranty and support services agreement on behalf of the County of Wayne, subject to the County Attorneys approval as to form and content, with BI Incorporated for the contract period January 1, 2006 to December 31, 2006 at an annual cost of \$2,687.00 to cover ten (10) Home Guard Monitoring Devices HG-2200; nine (9) Sobrietor Units 93-9300 and one (1) Drive-Bi Unit 9020.

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

**RESOLUTION NO. 150-06: AUTHORIZATION TO MODIFY 2006 BUDGET AND CREATE ADDITIONAL REVENUE LINE ITEM FOR PROBATION DEPARTMENT**

Mr. DeSanto presented the following:

RESOLVED, that the County Treasurer is hereby authorized and directed to create line item .42766 (DSS Reimbursement) within Account No. A3140 – Probation Dept.; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to transfer the following funds within Account No. A3140 – Probation Dept.:

\$230,182 from .44327 (Grant – JAIBG) to .42766 (DSS Reimbursement).

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

**RESOLUTION NO. 151-06: AUTHORIZATION TO PAY INVOICE FOR THE CONSULTING FEE FOR WAYNE COUNTY**

Mr. Hammond presented the following:

WHEREAS, Wayne County has received an Invoice from Haylor, Freyer and Coon, Inc. for the adjustment of their fee to offset a commission due to endorsement in the amount of Two Thousand Ninety Four and 29/100 Dollars (\$2,094.29) for the renewal of the consulting fee to Wayne County for the period of April 1, 2005 – April 1, 2006, and this invoice needs to be paid; now, therefore, be it

RESOLVED, That the Clerk of the Board is hereby authorized to make payment to Haylor, Freyer & Coon, Inc. in the amount of Two Thousand Ninety Four and 29/100 Dollars (\$2,094.29) from Account A1910.4300 upon adoption of this resolution.

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

**RESOLUTION NO. 152-06: AUTHORIZATION TO PAY INVOICE FOR THE CRIME POLICY RENEWAL FEE FOR WAYNE COUNTY**

Mr. Hammond presented the following:

WHEREAS, Wayne County has received an Invoice from Haylor, Freyer and Coon, Inc. in the amount of Four Thousand One Hundred Twelve and 00/100 Dollars (\$4,112) for the renewal of the crime policy to Wayne County for the period of January 1, 2006 – January 1, 2007, and this invoice needs to be paid; now, therefore, be it

RESOLVED, That the Clerk of the Board is hereby authorized to make payment to Haylor, Freyer & Coon, Inc. in the amount of Four Thousand One Hundred Twelve and 00/100 Dollars (\$4,112) for the renewal of the crime policy for the period of January 1, 2006 – January 1, 2007 from Account A1910.4300 upon adoption of this resolution.

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

**RESOLUTION NO. 153-06: CANCELLATION OF TAXES**

Mr. Hammond presented the following:

RESOLVED, pursuant to Real Property Tax Law #558 the following taxes levied on the following tax rolls are hereby cancelled, and the County Treasurer is authorized and directed to charge back the taxes as provided by law:

TOWN OF GALEN - 2006  
Tax Map# 75110-00-545646 Assessed to: United States of America  
Amount of Cancelled Tax: \$38.63

TOWN OF GALEN - 2006  
Tax Map# 75110-00-527719 Assessed to: United States of America  
Amount of Cancelled Tax: \$95.73

TOWN OF GALEN - 2006  
Tax Map# 75110-00-518673 Assessed to: United States of America  
Amount of Cancelled Tax: \$180.18

TOWN OF GALEN - 2006  
Tax Map# 75110-00-523640 Assessed to: United States of America  
Amount of Cancelled Tax: \$76.01

TOWN OF GALEN - 2006  
Tax Map# 75110-00-127974 Assessed to: United States of America  
Amount of Cancelled Tax: \$395.56

Mr. Colvin moved the adoption of the resolution. Seconded by Mr. Molino. Upon roll call, adopted.

**RESOLUTION NO. 154-06: APPROVING APPLICATIONS FOR CORRECTED TAX ROLLS**

Mr. Hammond presented the following:

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

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

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

TOWN OF ARCADIA

2006 Tax Roll  
Account No.: 68110-07-529778  
Assessed to: Ethel & Raymond Corteville  
Corrected Total Tax: \$622.50

2006 Tax Roll  
Account No. 69111-00-447719  
Assessed to: Ernest E. Howard  
Corrected Total Tax: \$824.67

2006 Tax Roll  
Account No. 69111-00-450704  
Assessed to: Ernest Howard  
Corrected Total Tax: \$24.91

TOWN OF BUTLER

2006 Tax Roll  
Account No. 77116-00-780107  
Assessed to: Marvin & Shirley Jay

Corrected Total Tax: \$974.16

2006 Tax Roll  
Account No. 76115-00-829895  
Assessed to: Philip R & Judy E Wagner  
Corrected Total Tax: \$125.09

TOWN OF PALMYRA

2006 Tax Roll  
Account No. 66111-00-115535.03  
Assessed to: Canalside Estates c/o Anita Otto, lot#3  
Corrected Total Tax: \$929.37

TOWN OF ROSE

2006 Tax Roll  
Account No. 72115-00-307888  
Assessed to: Christopher &  
Anne Edmonds  
Corrected Total Tax: \$972.33

2006 Tax Roll  
Account No. 71115-00-965802  
Assessed to: Christopher Edmonds  
Corrected Total Tax: \$2,003.47

2006 Tax Roll  
Account No. 73116-20-774103  
Assessed to: United Methodist Church  
Corrected Total Tax: \$10.69

TOWN OF SAVANNAH

2006 Tax Roll  
Account No. 76111-00-239797  
Assessed to: Jeremiah Moody  
Corrected Total Tax: \$1,239.26

TOWN OF WOLCOTT

2006 Tax Roll  
Account No. 78120-00-366838  
Assessed to: Douglas & Michelle Brown  
Corrected Total Tax: \$2,053.33

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

**RESOLUTION NO. 155-06: TAX REFUND – ERROR ON TAX ROLL**

Mr. Hammond presented the following:

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

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

RESOLVED, pursuant to Article 5, Title 3 of the Real Property Tax Law that the following

applications are hereby approved and the County Treasurer is hereby authorized and directed to pay the refunds:

TOWN OF BUTLER

2006 Tax Roll  
Account No. 77114-00-324300  
Assessed to: Ronald A & Donna J Warrick  
Refund: \$3,491.67

TOWN OF SODUS

2006 Tax Roll  
Account No. 67117-00-541818  
Assessed to: Deborah Vallee & Catherine Wilson c/o Reginald Wilson  
Refund: \$119.56

TOWN OF WOLCOTT

2005 Tax Roll  
Account No. 78120-00-366838  
Assessed to: Douglas & Michelle Brown  
Refund: \$394.14

and be it further,

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

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

**RESOLUTION NO. 156-06: AUTHORIZING PAYMENT OF LITIGATION COST AND TRANSFER FUNDS**

Mr. Hammond presented the following:

WHEREAS, Resolution No.444-95 approved contributions to legal fees incurred by certain Wayne County Municipalities in defense of Real Property Tax Assessment Review Proceedings; and

WHEREAS, the Town of Ontario has requested reimbursement for litigation fees as follows:

Town of Ontario (Orchard Grove Trailer Park): \$9,698.34

now, therefore, be it

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

\$9,700.00 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 444-95 from Account No. A1355.4506 (Attorneys).

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

**RESOLUTION NO. 157-06: AUTHORIZATION TO AMEND RESOLUTION NO. 127-04 TO REVISE THE LIST WITH COUNTY TREASURER'S RECOMMENDATION OF PROPERTY THAT HAS A BARRIER TO TAX ENFORCEMENT**

Mr. Hammond presented the following:

WHEREAS, the Real Property Tax Services Agency has conducted a recent inspection of the following property and believes the barrier to tax enforcement no longer exists; and

WHEREAS, the County Treasurer has changed his recommendation in regards to the

following parcel, previously included on a list of properties that have a barrier to tax enforcement, filed with the Clerk of the Board:

Parcel: 65114-16-879453, known as 3720 Union St, located in the Town of Marion now, therefore, be it

RESOLVED, the Board of Supervisors hereby amends Resolution No. 127-04 to revise the County Treasurer's recommendation and that the Assessor in the Town of Marion is hereby directed to remove this parcel from the exempt portion of the assessment roll, in accordance with the Real Property Tax Law.

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

**RESOLUTION NO. 158-06: AUTHORIZATION TO OBTAIN AN INDEPENDENT MEDICAL EXAMINATION FOR THE ELIZABETH KOSOFF-BODA CLAIM**

Mr. Hammond presented the following:

WHEREAS, Elizabeth Kosoff-Boda filed a claim, dated September 15, 2003, against the County of Wayne; and

WHEREAS, James E. Metzler, Esq. of the law firm of Boylan, Brown, Code, Vigdor & Wilson, has requested that the County of Wayne approve payment for an Independent Medical Examination of Elizabeth Kosoff-Boda at a cost not to exceed One Thousand Five Hundred and 00/100 Dollars (\$1,500); now therefore be it

RESOLVED, that the County Attorney is hereby authorized to pay the total due for an independent Medical Examination of Elizabeth Kosoff-Boda Claim from Account 1930.4000 (Judgments & Claims) at a total cost not to exceed One Thousand Five Hundred and 00/100 Dollars (\$1,500).

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

**RESOLUTION NO. 159-06: AUTHORIZATION TO OBTAIN AN APPRAISAL FEE FOR A MOTOR VEHICLE ACCIDENT INVOLVING A WAYNE COUNTY SHERIFF'S VEHICLE ON OCTOBER 7, 2005**

Mr. Hammond presented the following:

WHEREAS, An unmarked Wayne County Sheriff's Vehicle was involved in an accident on October 7, 2005 and the vehicle has been declared totaled by the Insurance Company; and

WHEREAS, The Operator of the other vehicle was at fault and their insurance company offered a settlement offer which was rejected by the Wayne County Insurance & Assessment Committee in December 2005; and

WHEREAS, Wayne County's Insurance Consultant has recommended that Wayne County obtain an appraisal of the value of said vehicle; now therefore be it

RESOLVED, that the County Attorney is hereby authorized to pay the cost of an appraisal from Account 1930.4000 (Judgments & Claims), for an Unmarked Wayne County Sheriff's 2000 Ford Crown Victoria that was totaled in an accident on October 7, 2005.

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

**RESOLUTION NO. 160-06: AUTHORIZATION TO PAY DEBORAH BALL FOR VEHICLE REPAIRS**

Mr. Hammond presented the following:

WHEREAS, on January 26, 2006, a Wayne County Highway Truck with a plow struck a 1992 Pontiac, owned by Deborah Ball, while parked in the parking lot at the Wayne Behavioral Health Department; and

WHEREAS, authorization is sought to make full settlement of this matter with the Claimant; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is hereby authorized to pay Deborah Ball the sum of Three Hundred Sixty Five and 09/100 Dollars (\$365.09) from Account No. A1930

(Judgment & Claims) as directed by the Wayne County Attorney.

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

**RESOLUTION NO. 161-06: AUTHORIZATION TO AMEND RESOLUTION #983-05 FOR KING REHABILITATION ASSOCIATES, INC.**

Mr. Hammond presented the following:

WHEREAS, Resolution No. 983-05 was duly adopted by the Wayne County Board of Supervisors on the 30<sup>th</sup> day of December 2005; and

WHEREAS, said Resolution authorized a cost of \$70.00 per hour for King Rehabilitation Associates, Inc. to provide Early Intervention Medical Care Management and Transitional Progressive Return to Work Program for Wayne County Employees covered by the Wayne County Self-Insurance Plan for Workers' Compensation; and

WHEREAS, the correct cost should be \$74.00 per hour; now therefore be it

RESOLVED, that Resolution No. 983-05 is hereby amended; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign a contract for the period January 1, 2006 to December 31, 2006 with King Rehabilitation Associates, Inc. to provide Early Intervention Medical Care Management and Transitional Progressive Return to Work Program for Wayne County Employees covered by the Wayne County Self-Insurance Plan for Workers' Compensation, at a cost of Seventy Four and 00/100 Dollars (\$74.00) per hour, and at a total cost not to exceed Fifty Thousand and 00/100 Dollars (\$50,000.00).

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

**RESOLUTION NO. 162-06: AUDIT OF CLAIMS**

Mr. Colvin 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 are hereby approved for payment and the Treasurer is hereby authorized and directed to make payment of the same:

1. A Fund	\$	2,272,719.33
2. CD Fund	\$	195,816.11
3. D Fund	\$	492,937.09
4. DM Fund	\$	84,974.39
5. E Fund	\$	425,010.10
6. H Fund	\$	6,697.14
7. MS Fund	\$	3,500.00
8. S Fund	\$	68,538.00
Warrant Total	\$	3,550,192.16

and be it further

RESOLVED, that the following utilities totaling \$ 199,887.84, processed pursuant to Resolution No. 176-78, are hereby ratified:

1. A Fund	\$	147,070.43
2. CD Fund	\$	1,806.99
3. DM Fund	\$	2,741.39
4. E Fund	\$	39,720.09

and be it further

RESOLVED, that the checks processed for the Department of Social Services for Special Assessments, totaling \$177.00, are hereby ratified.

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

Mr. Hammond moved, seconded by Mr. Lyon that a resolution be allowed on the floor

under other business. Upon roll call, carried.

**RESOLUTION NO. 163-06: AUTHORIZING COUNTY TREASURER TO REFUND A PORTION THE 1998/1999, 1999/2000, 2000/2001, 2001/2002 AND THE 2002/2003 TOWN, COUNTY AND SCHOOL TAXES THAT WERE PAID FOR REAL PROPERTY ASSESSED TO ORCHARD GROVE PARK, LLC AS PER COURT ORDERED INDEX NUMBERS 44314/98, 46091/99, 47966/00, 49816/01 AND 51748/02**

Mr. Colvin presented the following:

WHEREAS, the Wayne County Treasurer received a copy of Court Order, Index # 44314/98, 46091/99, 47966/00, 49816/01 and 51748/02 to refund a single total sum of \$300,000.00 by March 1, 2006 for Town, County and School Taxes paid for the tax years of 1998/99, 1999/2000, 2000/2001, 2001/2002 and 2002/2003 for parcels T.M. 543400 63117-00-754578 and 63117-00-653565 in the town of Ontario; and

WHEREAS, the County portion of the total sum ordered is \$86,792.51; the Town portion of the total sum is \$35,279.84 and the School portion of the total sum is \$177,927.65. The Wayne Central School District will be refunding the school portion; now, therefore, be it

RESOLVED, pursuant to Court Order, Index numbers # 44314/98, 46091/99, 47966/00, 49816/01 and 51748/02 the County Treasurer is hereby authorized to make the refund; and be it further

RESOLVED, that the County Treasurer is hereby authorized to charge back the corrections in the manner prescribed by Section 727 of the Real Property Tax Law.

County	\$ 86,792.51
Town	\$ 35,279.84
School	\$177,927.65

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

Supervisor DeSanto addressed the Board regarding the proposed lease of shipping operations at U.S Ports to a business controlled by the United Arab Emirates government. He requested the Board to consider passing a resolution opposing the proposed lease.

Supervisor Young commented that this contract could be dangerous although the company would be in charge of loading and unloading cargo only, not the control of actual harbors.

The proposal for a resolution was referred to the Legislative Committee for further discussion.

Supervisor Hammond suggested that the Board schedule some of their monthly Board Meetings in the evenings to allow the public better opportunity to attend.

Chairman Hoffman referred this proposal to the Legislative Committee for research and consideration.

**ADJOURNMENT:**

Ms. Park moved, seconded by Mrs. Bender that the Board adjourn until Tuesday, March 21, 2006 at 9:00 a.m. Upon roll call, carried.

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

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