

4th Day -Tuesday, March 16, 2004

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

Upon roll call, all Supervisors were present.

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

**SUMMARY OF CLAIMS:**

Committee No. 2:	A1010	Legislative Board	875.57
	A1040	Clerk of Legislative Board	126.47
	A1420	County Attorney	704.15
	A1430	Personnel	1,137.31
	A1670	Undistributed Meter Postage	8,060.00
	A1672	Court House Copier	153.00
	A1920	County Officers Assoc/NACA	7671.00
Committee No. 3:	A1355	Assessments - Taxes	432.14
	A1431	Cafeteria Plan	300.00
	A1910	Unallocated Insurance	45,447.81
	A1930	Judgment & Claims	9,108.45
Committee No. 4:	A1165	District Attorney	2,557.65
	A1170	Public Defender	7,640.84
	A1172	Legal Defense of Indigents	46,722.86
	A1173	Wayne Pre-Trial	8,544.66
	A1174	Local Conditional Release Comm	450.00
	A1185	Coroner	4,079.00
	A1190	Grand Jury	1,464.76
	A3117	Animal Abuse Investigations	472.52
Committee No. 5:	A3140	Probation	8,569.41
	A1615	Buildings & Grounds	68,182.85
	H1915	Parks Project	28.11
Committee No. 6:	H1932	Court House Exp./Renovation	1,350.00
	A1410	County Clerk (Motor Vehicles)	1,519.32
	A1450	Elections	5,109.19
Committee No. 7:	A6510	Veterans Agency	2,807.00
	A1640	Central Garage	5,726.71
Committee No. 8:	D5010	Highway Administration	30,034.99
	D5110	Maintenance of Roads & Bridges	22,320.09
	D5111	Road Striping & Sign Maintenance	8,405.36
	D5112	Road Construction	4,175.50
	D5142	Snow Removal - County	432,251.86
	DM5130	Road Machinery	40,122.56
	A6010	Social Services Administration	78,891.13
	A6123	Juv Delinquent Care	24,190.00
A6212	WFD/DSS Intensive Employment Unit	145.87	
A6214	WFD/3Day DSS Workshop	166.61	
CD6293	WIA Adult	1,217.77	
CD6294	WIA Dislocated	432.57	
CD6295	WIA Youth	268.95	
E0102	Buildings	185,987.94	
E0104	Equipment	46,175.00	

	E6010	Nursing Administration	878.57
	E7200	Central Medical Supply	40,099.39
	E7240	Radiology	908.01
	E7270	Pharmacy	76,911.79
	E7290	Dental	2,933.57
	E7310	Psychiatric	200.00
	E7330	Physical Therapy	7,254.75
	E7340	Occupational Therapy	13,909.91
	E7350	Speech Therapy	573.75
	E7380	Social Services	237.97
	E7390	Medical Records	444.00
	E7410	Medical Staff	520.97
	E7420	Medical Director	1,056.00
	E8210	Dietary Service	8,675.68
	E8220	Plant Operation and Maintenance	9,840.43
	E8240	Housekeeping	5,530.50
	E8250	Laundry Service	12,840.61
	E8260	Activities	357.80
	E8270	Transportation	297.30
	E8310	Fiscal Service	17,574.34
	E8321	Admissions	179.35
	E8350	Administrative Services	4,848.52
	E8410	Depreciation	2,167.00
	E8460	Employee Benefits	6,332.86
Committee No. 9:	A2490	Community College	953,705.65
	A7510	County Historian	128.51
	A7520	Historical Society	9,000.00
Committee No. 10:	A1325	Treasurer	54,798.70
	A1364	Expenses of Prop Acquired for	152.62
	A1671	Printing	3,528.08
	A1680	Data Processing	26,879.33
	H1908	FMS System Update	168.04
	H3911	Jail Bond Proceeds	12,500.00
Committee No. 11:	A4010	Public Health	4,665.27
	A4011	Public Health Services	23,893.81
	A4016	Early Intervention 0-1	163,739.44
	A4017	Child W/Spec. Needs 3-5 Prog.	607,287.39
	A4018	Public Health Education	1,668.21
	A4019	Wayne Community Nursing Care	17,377.59
	A4020	EMS Coordinator – Public Health	487.87
	A4022	Primary Care Initiatives	1,299.66
	A4046	Physically Handicapped Children	3,688.28
	A4320	Community Counseling Center	6,125.14
	A4321	Community Services S. Center (CDT)	12,927.37
	A4322	Contracted Mental Health Service	191,438.00
	A4323	Jail Serv. Non-Inpatient Crisis	583.82
	A4324	Substance Abuse Service	2,418.90
	A4325	Club Rehabilitative Services	1,614.33
	A4327	Case Management Services	1,005.23
	A4328	Intensive Case Management	3,128.81
	A4330	Agency Administration – LGU	18,085.53

	A4331	Reinvest Transportation	70.04
	A4332	Court Evaluation	10,384.00
	A4334	Children & Youth Clinic	2,839.50
	A4336	MICA Outreach – MH	330.60
	A4339	C & Y Advocacy	665.60
	A4340	C & Y ICM	978.26
	A4341	Local Gov't Unit	2,952.20
	A4342	Adult Advocacy	389.30
	A4343	Intake	388.60
	A4344	Pre-Admit	545.20
	A4345	School Support	4.90
Committee No. 12:	A6410	Publicity	510.37
	A6411	Tourism Matching Funds	2,941.35
	A8020	Planning Board	505.74
	H1946	County Master Plan	15,547.28
	H1947	HUD-Canal Corridor Initiative	11,701.18
	H5902	Amtrak Station	3,490.15
	H6401	Industrial Development Sites	32,731.09
	H6402	Joint Municipal Improvement	1,200.00
	H8702	Solid Waste Project	282,604.25
Committee No. 13:	A3110	Sheriff	4,352.11
	A3111	Recreational Safety	352.97
	A3112	Civil Office	4,325.82
	A3113	Juvenile Office	648.73
	A3114	Road Patrol	7,326.47
	A3115	Detective Unit	1,220.98
	A3116	Court Security	162.00
	A3118	Road Patrol (COPS Grant)	878.38
	A3150	Jail	70,583.43
	A3170	Other Correctional Agencies	1,530.00
	A3315	Special Traffic Program	2,530.01
	A3410	Mutual Aid	730.47
	A3640	Emergency Management	288.36
	A3642	E911 Communications	5,260.97
	A3644	ALS Services	2,644.46
	A6610	Consumer Affairs	316.62
	H1935	Enhanced 911 Emergency Telephone	3,120.00
	H3906	EMA – Equipment/Renovation	3,289.00
Committee No. 14:	A6772	Area Agency on Aging	39,823.13
	A7310	Youth Bureau	25,587.72
	A7311	Youth - Recreation	28.90
	A8730	Soil Conservation	74.33

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

**COMMUNICATIONS RECEIVED:**

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

**ANNUAL REPORTS:**

Wayne County Department of Social Services	Wayne County Mutual Aid
Wayne County Sheriff	Wayne Behavioral Health Network
Wayne County Public Health Service	Wayne County Real Property Tax Services
Wayne County Civil Service-Personnel Office	Sodus Point Park Summer 2003
Wayne County Data Processing	Wayne County 911
Wayne County ALS Services	Wayne County Highway

**REPORTS:**

Agriculture and Land Use Report for Consolidated Agricultural District Number One  
Mr. Fabino moved, seconded by Mr. Hammond, that all reports be received and filed.  
Upon roll call, carried.

Chairman Decker introduced and welcomed Mr. Thomas Crowley and the Newark High School Government Class to the Board Meeting.

**RESOLUTION NO. 175-04: 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:

Commissioner of Social Services:

1 - Motor Vehicle Operator (vacant due to termination)

1 - Caseworker (vacant due to resignation)

Sheriff

1 - Criminal Records Clerk (vacant due to resignation)

Director of Public Health

1 - PHN (vacant due to resignation)

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

**RESOLUTION NO. 176-04: AUTHORIZATION TO PAY NEW YORK STATE ASSOCIATION OF COUNTIES 2004 ANNUAL MEMBERSHIP DUES**

Mr. Jenkins presented the following:

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to pay the New York State Association of Counties 2004 Annual Membership Dues, in the amount of \$7,271, on behalf of the Wayne County Board of Supervisors.

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

**RESOLUTION NO. 177-04: AUTHORIZING DONATION OF SICK TIME TO CAROL CUTHBERT**

Mr. Jenkins presented the following:

RESOLVED, that Wanda Osmen, Wayne County Nursing Home employee, is hereby authorized to donate 15 hours of sick leave to Carol Cuthbert.

Mr. Frederick moved the adoption of the resolution. Seconded by Mr. Pascarella. Upon roll call, adopted.

**RESOLUTION NO. 178-04: DECLARING EQUIPMENT SURPLUS**

Mr. Lyon presented the following:

WHEREAS, the Director of Real Property Tax Services has determined that the following equipment is no longer required to fulfill the requirements of day to day activities of the Department and said piece of equipment would require extensive monies to repair:

Calcomp Digital Drawing Board, Model # III, Serial# 0002924

now, therefore, be it

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

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

**RESOLUTION NO. 179-04: APPROVING APPLICATION FOR CORRECTED TAX ROLL**

Mr. Lyon presented the following:

WHEREAS, an application for correction of a tax roll in relation to a parcel of property identified below has been

filed with the Director of Real Property Tax Services ("Director"); and

WHEREAS, the Director investigated the circumstances of the claimed error on the tax roll and recommends

that the application be approved; now, therefore, be it

RESOLVED, pursuant to Article 5, Title 3 of the Real Property Tax Law, the application is approved and the

officer having jurisdiction of the tax roll is hereby authorized to make the following correction:

TOWN OF ROSE

2004 Tax Roll Account No.: 73115-00-195715

Assessed to: Gary & Cheryl Pickering Corrected Total Tax: \$981.40

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

**RESOLUTION NO. 180-04: TAX REFUNDS - ERRORS ON TAX ROLLS**

Mr. Lyon presented the following:

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

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

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

TOWN OF ROSE

2004 Tax Roll Account No. 74114-00-598867

Assessed to: Fred & Alice Sprout Refund: \$54.97

TOWN OF SODUS

2002 Tax Roll Account No. 37116-00-381939

Assessed to: Philip D. Vivino Refund: \$279.80

2003 Tax Roll Account No. 69116-00-463934

Assessed to: Philip D. Vivino Refund: \$324.35

2004 Tax Roll Account No. 69116-00-463934

Assessed to: Philip D. Vivino Refund: \$330.30

TOWN OF WALWORTH

2002 Tax Roll		Account No.	29116-00-083316
Assessed to:	Estate of Anna DeVolder	Refund:	\$191.94
2003 Tax Roll		Account No.	61116-00-116318
Assessed to:	Estate of Anna DeVolder	Refund:	\$195.79
2004 Tax Roll		Account No.	61116-00-116318
Assessed to:	Estate of Anna DeVolder	Refund:	\$201.34

TOWN OF WOLCOTT

2004 Tax Roll		Account No.	78118-14-430300
Assessed to:	Leon Fitch	Refund:	\$12.21
2004 Tax Roll		Account No.	78118-17-205239
Assessed to:	Donna Greg	Refund:	\$46.74
2004 Tax Roll		Account No.	77119-00-246178
Assessed to:	Fred Myer	Refund:	\$4.93
2004 Tax Roll		Account No.	78118-17-236233
Assessed to:	James & Doris Schneible	Refund:	\$11.01

and be it further,

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

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

**RESOLUTION NO. 181-04: AUTHORIZING PAYMENT OF LITIGATION COSTS**

Mr. Lyon 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 following towns have requested reimbursement for litigation fees as follows:

Town of Galen	\$366.00
Town of Williamson	\$208.08

RESOLVED, that the Director of Real Property Tax Services is hereby authorized to pay the amounts stated above in accordance with Resolution 444-95 from Project Account No. H1943 - Real Property Tax Consultants.

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

**RESOLUTION NO. 182-04: AUTHORIZING PAYMENT OF INSURANCE PREMIUM PAYMENT TO HAYLOR, FREYER AND COON, INC**

Mr. Lyon presented the following:

WHEREAS, Wayne County has received the following invoices from Haylor, Freyer and Coon, Inc. for insurance premiums for the County of Wayne for the period of March 1, 2004 - February 28, 2005:

Invoice #235462	Health Care Facility Professional Liability	\$39,330
Invoice #235465	Health Care Facility General Liability	<u>\$ 2,776</u>

\$42,106

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 Forty Two Thousand One Hundred Six and 00/100 Dollars (\$42,106) from Account A1910.4300.

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

**RESOLUTION NO. 183-04: AUTHORIZATION TO EXECUTE A CONTRACT WITH TEMCO FOR CLEANING AND JANITORIAL SERVICES FOR THE HEALTH SERVICES FACILITY**

Mr. Fabino presented the following:

WHEREAS, Wayne County entered into a contract with TEMCO Services, Inc. for cleaning and janitorial services for the Health Services Facility, for a period of two years in April of 2002; and

WHEREAS, the bid amount included and extension of the contract for a third year at a 2% increase and a fourth year at a 3% increase; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a written notification of Wayne County's intent to renew the above mentioned agreement with TEMCO Services Inc. for the period of May 1, 2004 – April 30, 2006 on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 184-04: AUTHORIZATION TO EXECUTE CONTRACT WITH UNIFIED COURT SYSTEM**

Mr. Fabino presented the following:

WHEREAS, the County contracts with the Unified Court System for the provision of cleaning and minor repairs of the Court Facility, 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 Unified Court System for the provision of cleaning and minor repairs of the court facility for the period of 04/01/03 – 03/31/04 for a reimbursement of \$103,114.

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

**RESOLUTION NO. 185-04: AUTHORIZATION TO EXECUTE AN AGREEMENT WITH MAUREEN MOSS FOR OPERATION OF MO'S DOGHOUSE IN SODUS POINT PARK**

Mr. Fabino presented the following:

WHEREAS, the agreement with Maureen Moss for the operation of Mo's Doghouse at Sodus Point Park has expired; and

WHEREAS, no other vendors have indicated an interest in providing such concessions; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Maureen Moss to operate the concession stand known as Mo's Doghouse in Sodus Point Park for the 2004 bathing season, at a license fee cost of \$975.27 for the season.

Mr. Colvin moved the adoption of the resolution. Seconded by Mrs. Chittenden. Upon roll

call, adopted.

**RESOLUTION NO. 186-04: AUTHORIZATION TO PURCHASE TREES FROM PARKS PROJECT ACCOUNT**

Mr. Fabino presented the following:

WHEREAS, the Superintendent of Buildings and Grounds has received the following quotes for the purchase of 33 trees for various County Park locations:

Grandpa's Nursery & Garden Inc.	\$ 4,611.00
Ontario Orchards of Oswego	\$ 5,620.15
Northern Nurseries	\$4,270.00

now, therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to purchase 33 trees quoted by Northern Nurseries at a total price of \$ 4,270 to be expended from the H1915 -Parks Project Account.

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

**RESOLUTION NO. 187-04: AUTHORIZATION TO EXECUTE AGREEMENT BETWEEN THE COUNTY OF WAYNE AND THE FEDERAL SURPLUS PROPERTY PROGRAM**

Mrs. Chittenden 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 the Federal Surplus Property Program.

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

**RESOLUTION NO. 188-04: URGING RESTORATION OF FULL FUNDING TO THE CONSOLIDATED HIGHWAY IMPROVEMENT PROGRAM (CHIPS)**

Mrs. Chittenden presented the following:

WHEREAS, local governments are responsible for eighty five percent of the New York State's ("State") 110,000 miles of roadways and are also responsible for fifty percent of the state's 18,000 bridges; and

WHEREAS, the State eliminated \$35,000,000 in County/New York City ("NYC") Consolidated Highway Improvement Funds ("CHIPS") in the adopted State budget for 2001/02; and

WHEREAS, the 2003/04 adopted State budget restored the \$35,000,000 in County/NYC CHIPS funding; and

WHEREAS, because of the restored funds, county highway departments were able to repair important components of the local transportation system, and purchase necessary highway equipment and materials; and

WHEREAS, the proposed 2004/05 Executive Budget Proposal again eliminates the \$35,000,000 for County/NYC CHIPS funding; and

WHEREAS, Chips is a unique form of a block grant in transportation financing providing critical transportation funding to over 1,600 units of local government in New York State; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby goes on record urging the State legislature to restore these important economic development and safety funding; and be it further

RESOLVED, that the Wayne County Board of Supervisors urges the state to index these funds as part of the State's multi-year capital plan so that local governments can budget and

properly plan to address the deficiencies in the local transportation system; and be it further and be it further

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to send a copy of this resolution to Governor George E. Pataki; NYS Assembly Leader Sheldon Silver, NYS Senate Leader Joseph L. Bruno, Assemblyman Robert C. Oaks; Senator Michael F. Nozzolio; the New York State Association of Counties.

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

**RESOLUTION NO. 189-04: AUTHORIZATION TO ADVERTISE FOR MISCELLANEOUS COLD MILLING**

Mrs. Chittenden presented the following:

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for bids for miscellaneous cold milling for various highway projects in accordance with specifications prepared by the Wayne County Highway Superintendent and approved by the County Attorney as to content and form and be it further;

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

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

**RESOLUTION NO. 190-04: URGING THE INCREASE IN CRITICAL MARCHISELLI HIGHWAY AND BRIDGE FUNDING**

Mrs. Chittenden presented the following:

WHEREAS, the Marchiselli Funding Program is the State component of a successful Federal, State, Local partnership delivering transportation improvements on the local highway system; and

WHEREAS, the Federal Transportation Program has grown over the past 5 years and the number of Federal aid projects sponsored by local governments has increased over the past 5 years; and

WHEREAS, the Governor's executive budget submission to the legislature hold Marchiselli funding static at \$40 million; and

WHEREAS, Marchiselli funding has not increased in the past 5 years; and

WHEREAS, the Marchiselli program has not kept pace with the Federal Transportation Program resulting in delays of state matching funds or eligible portions of projects not receiving state matching funds; now, therefore, be it

RESOLVED that the Wayne County Board of Supervisors strongly urges the State Legislature to increase this critical funding to a level consistent with the level of locally sponsored projects listed on the current Statewide Transportation Improvement Program ("STIP"); and be it further

RESOLVED that the Wayne County Board of Supervisors strongly urges the Governor and State Legislature to increase Marchiselli program funding during the 2004 legislative session; and be it further

RESOLVED, that the Clerk of the Wayne County Board of Supervisors is hereby authorized and directed to send a copy of this resolution to Governor George E. Pataki; NYS Assembly Leader Sheldon Silver, NYS Senate Leader Joseph L. Bruno, Assemblyman Robert C. Oaks; Senator Michael F. Nozzolio and the New York State Association of Counties.

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

**RESOLUTION NO. 191-04: AUTHORIZING ROAD SIDE MOWING CONTRACT WITH TOWN OF PALMYRA**

Mrs. Chittenden 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 the Town of Palmyra for mowing County road-sides located in the Town at a rate of \$135.01 per mile for the 2004 season.

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

**RESOLUTION NO. 192-04: AUTHORIZATION TO FILL SEASONAL POSITIONS FOR HIGHWAY DEPARTMENT**

Mrs. Chittenden presented the following:

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

Eight (8) Seasonal Motor Equipment Operator #2 - \$11.808 for first seasonal year, \$12.808 for more than one (1) year experience; and

Five (5) Seasonal Laborers - \$7.50 for first seasonal year, \$8.50 for more than one (1) year experience.

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

**RESOLUTION NO. 193-04: ESTABLISH WAYNE AREA TRANSPORTATION SERVICE WASH BAY PROJECT AND APPROPRIATE FUNDS**

Mrs. Chittenden presented the following:

RESOLVED, that the County Treasurer is authorized to establish the following Capital Project Account No. H5109 – WATS – Wash Bay Project as follows:

Create Appropriation .2000 (Equipment and Other Capital Outlay) in the amount of \$85,000;

Create Revenue.2712 (RGTA Funds) in the amount of \$85,000.

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

**RESOLUTION NO. 194-04: AUTHORIZATION TO ADVERTISE FOR HIGHWAY EQUIPMENT**

Mrs. Chittenden presented the following:

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized and directed to advertise for bids for the following equipment in accordance with specifications prepared by the Wayne County Highway Superintendent and approved by the County Attorney as to content and form:

One (1) 2004 or newer 62,000 GVW Cab & Chassis to replace one (1) 1994 Ford Dump Truck

One (1) 13'6" body & hoist

One (1) hydraulic rubber tired excavator

and be it further

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

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

**RESOLUTION NO. 195-04: AMENDING BUDGET IN RELATION TO THE HOME ENERGY ASSISTANCE PROGRAM**

Mr. Frederick presented the following:

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to amend Account No. A6141 - Home Energy Assistance Program as follows:

Increase Appropriation Object Code .4000 (Contractual Expense) by \$167,563 from \$1,400,000 to \$1,567,563

Increase Revenue Object Code .4641 (HEAP) by \$167,563 from \$1,400,000 to \$1,567,563

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

**RESOLUTION NO. 196-04: AUTHORIZATION TO EXECUTE CONSOLIDATED SERVICES PLAN**

Mr. Frederick presented the following:

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute the Wayne County Department of Social Services Consolidated Services Plan 2004-2006 on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 197-04: AUTHORIZATION TO ACCEPT PAYMENT IN FULL FROM THOMAS HONG FOR MEDICAL SCHOLARSHIP LOAN WITH WAYNE COUNTY**

Mr. Pascarella presented the following:

WHEREAS, Thomas Hong obtained loans from Wayne County through the Medical Scholarship Loan program; and

WHEREAS, Thomas Hong submitted a payment in the amount of \$33,249.39; the balance due on the Medical Scholarship Loan; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors accepts the payment of \$33,249.39, from Thomas Hong, in full satisfaction of the Medical Scholarship Loan with Wayne County.

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

**RESOLUTION NO. 198-04: AUTHORIZATION TO PAY WAYNE COUNTY HISTORICAL SOCIETY AND MUSEUM 2004 APPROPRIATIONS**

Mr. Pascarella presented the following:

RESOLVED, that the Clerk of the Board is hereby authorized to pay the \$18,000 appropriations to the Wayne County Historical Society and Museum in two installments of \$9,000 each, in the months of March and June, 2004.

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

**RESOLUTION NO. 199-04: AUTHORIZATION TO PAY EXPENSES RELATED TO THE MILDRED TAYLOR TRUST FOR THE WAYNE COUNTY HISTORICAL SOCIETY**

Mr. Pascarella presented the following:

WHEREAS, the will of the late Mildred F. Taylor, bequeathed the sum of Five Thousand and 00/100 Dollars (\$5,000) to the County of Wayne for the purpose of either enlarging the

room in the Wayne County Museum, known as the Mildred Taylor Room or providing suitable space wherein more of her political memorabilia can be displayed; and

WHEREAS, the Wayne County Historical Society has recently created exhibits and certain improvements in accordance with said bequest; and

WHEREAS, the Wayne County Historical Society is desirous of being reimbursed for said exhibits and improvements which totaled One Thousand Seven Hundred Twenty Two and 12/100 Dollars (\$1,722.12); now, therefore, be it

RESOLVED, that the Wayne County Treasurer is hereby authorized and directed to reimburse the Wayne County Historical Society said expenses, in the amount of One Thousand Seven Hundred Twenty Two and 12/100 Dollars (\$1,722.12) from Account No. TE93 (Taylor Room/Museum).

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

**RESOLUTION NO. 200-04: 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:

**Superintendent of Buildings and Grounds**

0400279                      1 - Comp Miter Saw    189.00

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

**RESOLUTION NO. 201-04: AMEND BUDGET FOR DATA PROCESSING FUNDS FOR CRIMES VICTIMS BOARD GRANT**

Mr. Colvin presented the following:

WHEREAS, the Crime Victims Budget for 2004 did not include an amount for Data Processing services and the figure from Data Processing is \$713.00, now, therefore, be it

RESOLVED, that the County Treasurer make the following amendment to the County Budget:

**A1010 - LEGISLATIVE BOARD:**

Decrease Appropriations:                      .1016 (Secy to Chairman) by \$ 713

**A1167 - CRIMES VICTIMS BOARD GRANT:**

Increase Appropriations:                      .4414 (Data Processing) by \$713

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

**RESOLUTION NO. 202-04: AMEND BUDGET FOR WAYNE COUNTY HEALTH CARE TRUST PLAN**

Mr. Colvin presented the following:

WHEREAS, the Wayne County Health Care Trust Plan expends funds on various items and would benefit from setting up line items to pay and track said expense from; now, therefore, be it

RESOLVED, that the County Treasurer be authorized to make the following line item amendments to the 2004 County Budget:

**MS 1710 - ADMINISTRATIVE FEES:**

179,800.00 from .4000 (Contractual Expense)

199,837.00 to .4300 (Insurance)

4,850.00 to .4501 (Accountants/Auditors)

5,000.00 to .4506 (Attorneys)

**MS 9060 – HOSPITALIZATION CLAIMS:**

29,887.00 to .2801 (Interfund Revenues)

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

**RESOLUTION NO. 203-04: AUTHORIZATION TO PAY APPRAISAL FEE FOR INDEPENDENT ADJUSTER FOR ACCIDENT DATED JUNE 15, 2003**

Mr. Colvin presented the following:

WHEREAS, due to an accident on Town Line Road on June 15, 2003 the County of Wayne authorized Geoffrey K. Resnick, an Independent Adjuster, to investigate said accident; and

WHEREAS, Geoffrey K. Resnick submitted an invoice in the amount of Three Hundred Two and 70/100 Dollars (\$302.70) for said investigator service; now, therefore, be it

RESOLVED, that the County Attorney is hereby authorized to pay the sum of Three Hundred Two and 70/100 Dollars (\$302.70), for said Investigator services from Account No. A1930.4000 (Judgment and Claims).

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

**RESOLUTION NO. 204-04: AUTHORIZATION TO INSTALL GLASS WINDOW IN PUBLIC HEALTH CLINIC DOORS.**

Mr. Guelli presented the following:

WHEREAS, the County Health Department would like install small glass window into four of the existing clinic room's doors for purposes of safety and security for a total cost of \$700; now, therefore, be it

RESOLVED, that the Director of Public Health is hereby authorized to have this work completed by Building and Grounds Department.

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

**RESOLUTION NO. 205-04: AUTHORIZATION TO AMEND PUBLIC HEALTH SERVICES BUDGET**

Mr. Guelli presented the following:

WHEREAS, the State Dept. of Health has increased the Healthy Women Partnership contract C018372 for period 1/03 – 3/31/04 by \$9,000 to cover the increased cost of state examinations provided by the program; now, therefore, be it

RESOLVED that the Wayne County Treasurer is hereby authorized to amend Account No. A4011 - Public Health Service as follows:

Increase Appropriations: .4596 (Chronic Disease) by \$9,000

Increase revenues: .3409 (Partnership Grant) by \$9,000

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

**RESOLUTION NO. 206-04: DECLARATION OF CHARITY CARE**

Mr. Guelli presented the following:

WHEREAS, the Wayne County Public Health Dept. is required to provide a percentage of Charity Care service to its eligible patients; and

WHEREAS, the Public Health Dept. has determined qualified expenses for Charity Care; now, therefore, be it

RESOLVED, that the Board of Supervisors acknowledges the amount of \$30,027.93 as year 2003 Charity Care declaration.

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

**RESOLUTION NO. 207-04: AUTHORIZATION TO DISPOSE OF EQUIPMENT**

Mr. Guelli presented the following:

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

1 - Canon Fax Phone B640 fax machine (no longer works and is unable to be repaired)

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

**RESOLUTION NO. 208-04: AUTHORIZATION TO EXECUTE AMENDED PREFERRED CARE FACILITY SERVICES AGREEMENT FOR HOME CARE SERVICES (EXHIBIT A.5)**

Mr. Guelli presented the following:

WHEREAS, Wayne County Public Health entered into a contract with Preferred Care to become a participating provider of home care services, prevent services and flu and pneumovax vaccine administration coverage, and,

WHEREAS, Preferred Care wishes to amend the current agreement to reflect changes to the Home Care Services Fee Schedule (page 7), now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an amended agreement on behalf of the County of Wayne and Wayne County Public Health Services, subject to the County Attorney's approval as to form and content effective 4/1/04.

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

**RESOLUTION NO. 209-04: AUTHORIZING CONTRACT WITH PROVIDERS FOR SERVICES FOR THE WOMEN'S HEALTH PARTNERSHIP GRANT**

Mr. Guelli 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 Women's Health Partnership Program; and

WHEREAS, the providers are willing to provide such services; now, therefore, be it

RESOLVED that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract with the following providers on behalf of Wayne County Public Health Service, 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 4/1/04 - 3/31/05:

- Arcadia Family Practice
- Canal Park Family Medicine
- Cancer Action, Inc.
- Clifton Springs Hospital and Clinic/Finger Lakes Breast Care
- East Hill Family Medical Group, LLP
- Finger Lakes Visiting Nurse Service
- Geneva General Hospital Women's Diagnostic Services
- Jewett, Bryan, MD
- Morgos, Faig, MD
- ViaHealth of Wayne
- Walker, Allan R., MD
- Wayne Medical Group

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

**RESOLUTION NO. 210-04: AUTHORIZATION TO EXECUTE AGREEMENT WITH GENESEE REGION HOME CARE FOR HOME HEALTH AIDE TRAINING**

Mr. Guelli presented the following:

WHEREAS, the Medicare Conditions of Participation and the New York State Code Rules and Regulations require that all Home Health Aides ("HHA") receive prerequisite training for Home Health Aide ("HHA") positions and for those HHAs that have been out of the field for a period of time; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute an agreement with Genesee Region Home Care to provide HHA training on behalf of the Wayne County Public Health Services, subject to the County Attorney's approval as to form and content, with Health Research Inc for the period 1/1/03 to 12/31/04.

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

**RESOLUTION NO. 211-04: AUTHORIZING AMENDMENT TO EARLY INTERVENTION CONTRACT WITH BRIGHT STARTS PEDIATRIC SERVICES**

Mr. Guelli presented the following:

WHEREAS, Bright Start currently provides speech therapy, occupational and physical therapies services; and

WHEREAS, Bright Start would like to add Vision Services to the contract for Early Intervention kids (age 0-2) at a rate of \$69.00 per 30-45 min session and \$97.00 for one hour; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an amended contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Bright Start Pediatrics Services to add Vision Service to the Early Intervention contract for the period 9/3/03 - 6/30/05.

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

**RESOLUTION NO. 212-04: AUTHORIZING AMENDMENT TO CHILDREN WITH SPECIAL NEEDS' PRE-K CONTRACT WITH BRIGHT START PEDIATRIC SERVICES**

Mr. Guelli presented the following:

WHEREAS, Bright Start currently provides speech therapy, occupational and physical therapies services; and

WHEREAS, Bright Start would like to add Vision Services to the contract for Pre-K kids (3-5) at a rate of \$50/30 minute session, \$70/45 minute session and \$90/hr; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an amended contract with Bright Start Pediatrics Services to add Vision Service to the Pre-K contract for the period 9/3/03 - 6/30/05.

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

**RESOLUTION NO. 213-04: AUTHORIZATION TO RENEW CONTRACT WITH CHRISTINA MORSE AS A PART TIME NURSE PRACTITIONER FOR THE PUBLIC HEALTH DEPARTMENT AND TO INCREASE PAY RATE**

Mr. Guelli presented the following:

WHEREAS, Christina Morse, NP wishes to renew her current agreement with the County and to increase pay rate by 3 %; 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 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 Christina Morse for the period April 1, 2004 to March 31, 2005 in the amount of \$42.43 per hour for up to eight hours per week.

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

**RESOLUTION NO. 214-04: AUTHORIZATION TO EXECUTE CONTRACT WITH KIM WILLIAMS FOR BIOTERRORISM COORDINATOR ASSISTANT**

Mr. Guelli presented the following:

WHEREAS, Wayne County Public Health has been awarded state funding to supplement the development and implementation of a county-wide bioterrorism ("BT") plan; and

WHEREAS, Wayne County Public Health would like to contract with Kim Williams to assist with Information Technology activities, county website, community outreach, staff and public education, drills and other activities related to Bioterrorism communications and other BT related activities; now, there, 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 Kim Williams, for the period April 1, 2004 to August 31, 2004 at a rate of \$1,000 per month not to exceed \$5,000, and further that the contractor will submit a bill to this agency the 1<sup>st</sup> of each month.

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

**RESOLUTION NO. 215-04: AUTHORIZATION TO AMEND BUDGET FOR WAYNE BEHAVIORAL HEALTH NETWORK**

Mr. Guelli presented the following:

WHEREAS, approval has been granted to Wayne Behavioral Health Network to contract with providers of mental health services, in order to ensure the availability of outpatient clinic services to County residents disabled by mental disorder; and

WHEREAS, the appropriations and revenues contingent upon said contracts shall be closely monitored by WBHN during a trial period of 12 weeks, during which said contracts shall be terminated should monitoring reveal an increase in net County cost to the Department; and

WHEREAS, the appropriations and revenues contingent upon said contracts are not presently budgeted; now, therefore, be it

RESOLVED, that the Wayne Behavioral Health Network budget is hereby amended as follows:

Account No. A4320 - Community Counseling Center:

Create Appropriations:	.4563 (Contracted CMHP) in the amount of	\$3,600
Increase Revenues	.1612 (Medicare) by	\$ 396
	.1613 (Medicaid) by	\$2,124
	.1616 (Self Pay) by	\$ 504
	.1620 (Mental Health Fees) by	\$ 576

Account No. A4334 - Children & Youth Clinic:

Create Appropriations:	.4563 (Contracted CMHP) in the amount of	\$12,000
Increase Revenues	.1613 (Medicaid) by	\$5,640
	.1616 (Self Pay) by	\$2,040
	.1620 (Mental Health Fees) by	\$4,320

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

**RESOLUTION NO. 216-04: AUTHORIZATION TO CONTRACT WITH WAYNE COUNTY ASSOCIATION FOR RETARDED CHILDREN TO PROVIDE MENTAL HEALTH SERVICES AT ROOSEVELT SCHOOL UNDER WAYNE COUNTY BEHAVIORAL HEALTH NETWORK LICENSE AND RESCIND RESOLUTION NO. 50-04**

Mr. Guelli presented the following:

WHEREAS, the Wayne County ARC has indicated interest in contracting with Wayne County to provide Mental Health professional staff to deliver outpatient mental health clinic services at the Roosevelt School site; and

WHEREAS, said service provision would increase the availability of mental health services in the County to young children suffering from mental disorder; 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 Wayne County ARC to provide clinic services by qualified mental health professionals, subject to approval by the County Attorney as to form and content, at a rate not to exceed \$50.00 per hour; and be it further

RESOLVED, that Resolution No. 50-04 is hereby rescinded.

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

**RESOLUTION NO. 217-04: AUTHORIZATION FOR WAYNE BEHAVIORAL HEALTH NETWORK TO OFFER OVERTIME TO COMMUNITY MENTAL HEALTH PROFESSIONAL AND SOCIAL WORKER STAFF TO MEET DEMAND FOR CLINIC TREATMENT SERVICES AND TRANSFER FUNDS**

Mr. Guelli presented the following:

WHEREAS, demand for clinic treatment services at the Wayne Behavioral Health Network ("WBHN") outpatient clinic is exceeding the capacity of existing staff; and

WHEREAS, as a New York State Office of Mental Health Certified clinic WBHN has a responsibility to provide necessary services to County residents disabled by mental disorder; and

WHEREAS, there are unused funds available due to disability leave on the part of some staff; now, therefore, be it

RESOLVED, that the WBHN is authorized to offer up to 10 hours of overtime per pay period to qualified staff to provide clinic treatment services, at a cost not to exceed \$4,966; and be it further

RESOLVED, that the County Treasurer is authorized to make the following transfer of funds:

Account No. A4323-Jail Serv.-Non-Inpatient Crisis  
\$4,966 from .1322 (Staff Social Worker) to .1904 (Overtime)

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

**RESOLUTION NO. 218-04: APPOINTMENT TO WAYNE COUNTY COMMUNITY SERVICES BOARD**

Mr. Guelli presented the following:

WHEREAS, the term of office on the Community Services Board for Dr. Howard Hoople, 25 W. Main Street, Wolcott, New York 14590, expired on December 31, 2003, and he has expressed a wish to continue service on said board; now, therefore, be it

RESOLVED, that Dr. Hoople is hereby reappointed to the Community Services Board of an individual term of office commencing immediately and expiring December 31, 2007.

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

**RESOLUTION NO. 219-04: AUTHORIZATION TO PURCHASE EQUIPMENT USING UNEXPENDED PROJECT LINE FUNDS FOR WAYNE BEHAVIORAL HEALTH NETWORK "WELLNESS ROOM"**

Mr. Guelli presented the following:

RESOLVED, that the Director of Mental Health is hereby authorized to purchase the following furnishings from state bid contract or best quotes according to the County's regulations and policies for purchasing and bidding from Account No. H1933.2005-Mental Health Renovations:

8 - sets of 4 chairs	\$1,720.40
10 - folding tables	\$1,113.40
1 - lectern	<u>\$ 151.91</u>
total	\$2,985.71

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

**RESOLUTION NO. 220-04: AMEND RESOLUTION 875-03 AUTHORIZATION TO PURCHASE EQUIPMENT FOR COMMUNITY SERVICE PROVIDER ASSISTANCE PROGRAM**

Mr. Spickerman presented the following:

WHEREAS, Resolution 875-03 authorized the purchase of emergency equipment for use by the Town of Sodus; and

WHEREAS, a quote obtained from Moore Medical for stiff neck collars at \$7.25 each was subsequently disputed by Moore Medical; and

WHEREAS, Moore Medical has indicated that their price for stiff neck collars is actually \$14.50 each; and

WHEREAS, the next lowest quote of \$8.20 each was from Dixie USA EMS Supply, Brooklyn Navy Yard, Building #280, 7<sup>th</sup> Floor, Brooklyn, New York 11205; now, therefore, be it

RESOLVED, that the Planning Director is authorized to purchase 8 stiff neck collars from Dixie USA EMS Supply at a cost not to exceed \$80; and be it further

RESOLVED, that the payment for the stiff neck collars shall come from Project H1956.2000.

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

**RESOLUTION NO. 221-04: APPOINTMENT TO THE FINGER LAKES ASSOCIATION BOARD**

Mr. Spickerman presented the following:

WHEREAS, the by-laws of the Finger Lakes Association provide for representation on the Board of Directors for each County which participates in the regional effort to improve the economy by promotion of tourism; now, therefore, be it

RESOLVED, that Bonnie Hays, Historic Palmyra, 132 Market Street, Palmyra, New York

is hereby appointed to the Finger Lakes Association Board.

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

**RESOLUTION NO. 222-04: APPOINT MEMBERS TO THE WAYNE AREA TRANSPORTATION SERVICE CITIZENS ADVISORY BOARD**

Mr. Spickerman presented the following:

RESOLVED, that the following are hereby appointed to the Wayne Area Transportation Service ("WATS") Citizens Advisory Board to serve at the pleasure of the Board of Supervisors:

Antje Dirksen	Wayne County Rural Health Network
Becki Ortiz	Wayne Behavioral Health Network
Annette Hawver	Wayne County Action Program
Jodie Daniels	Workforce Development
Gus Arnitz	Wayne County Citizen
Frank Guelli	Supervisor, Town of Walworth
Donna Robbins	Wayne County Action Program

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

**RESOLUTION NO. 223-04: AUTHORIZATION TO HOST A FAMILIARIZATION TOUR FOR NYS OUTDOOR WRITERS IN WAYNE COUNTY**

Mr. Spickerman presented the following:

RESOLVED, that the Director of Publicity and Tourism is hereby authorized and directed to host, a familiarization tour for NYS Outdoor Writers Spring Safari, at a cost not to exceed \$800, to be expended from account No. A6410.4460 (Publicity - Promotion).

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

**RESOLUTION NO. 224-04: AUTHORIZATION TO PARTICIPATE IN THE FINGER LAKES COMMUNITY COLLEGE SUMMER INTERNSHIP PROGRAM**

Mr. Spickerman presented the following:

WHEREAS, the Finger Lakes Community College ("FLCC"), conducts a tourism internship program for student enrolled in the Travel and Tourism Management Degree Program; and

WHEREAS, the Wayne County Tourism Office facilities are well suited to provide training and experience for a student in said program; and

WHEREAS, the Wayne County Tourism Office is desirous of cooperating in order to produce an experiential learning course of study which will enable a student enrolled in the program at FLCC to increase their knowledge in a selected component of the tourism industry; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with FLCC for the program described above.

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

**RESOLUTION NO. 225-04: AUTHORIZING SUBMISSION OF APPLICATION FOR FUNDING UNDER THE NEW YORK STATE SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

Mr. Spickerman presented the following:

WHEREAS, the New York State Governor's Office for Small Cities ("GOSC") is accepting applications for funding under the Small Cities Community Development Block Grant Program; and

WHEREAS, the Planning Committee of the Board of Supervisors recommends that the County submit an application for funding in an amount not to exceed \$600,000 for the Micro Enterprise Program administered by the Wayne County Industrial Development Agency; and

WHEREAS, the Board of Supervisors held two (2) public hearings, on March 5, 2004 at 10:00 a.m. and 10:15 a.m., to invite public comment and suggestions regarding the County's potential interest in filing the Small Cities Grant Application and to assist the County in identifying possible projects for inclusion in the application; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed as the official representative of the County to execute and submit the Small Cities Grant Application to GOSC, including all understandings and assurances contained therein, and is authorized and directed to act in connection with the submission of the application and provide such additional information as may be required.

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

**RESOLUTION NO. 226-04: AUTHORIZING INDUSTRIAL SITE FUNDS - BURKWIT PROPERTY - TOWN OF ONTARIO**

Mr. Spickerman presented the following:

WHEREAS, the Board of Supervisors has established a program for aid for industrial site development within the County for the purposes of promoting the economic welfare and prosperity of County residents through increased employment and expansion of the tax base; and

WHEREAS, the Town of Ontario has requested that the County provide financial assistance for construction of a waterline from Dean Parkway to the East side of the Burkwit property; and

WHEREAS, has various businesses committed to locate on this site, to be known as Salatino Industrial Park; and

WHEREAS, the total estimated project cost is \$185,694; now, therefore, be it

RESOLVED, that, provided the business commits to creating at least ten (10) new jobs, the County shall provide funding from the Industrial Site Development Fund to the Town of Ontario for the water line project for one-third of the total cost, with the total cost to the County not to exceed \$61,898; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute any agreements or documents necessary to implement the resolution on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content.

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

**RESOLUTION NO. 227-04: AUTHORIZING PARTIAL PAYMENT FOR VILLAGE OF LYONS INDUSTRIAL SITE PROJECT**

Mr. Spickerman presented the following:

WHEREAS, Resolution 508-00 approved spending of 1/3 the cost or up to \$33,500, whichever was less, from the Industrial Site Fund for building the road from Ruspak to Old Rt. 31 in Lyons; and

WHEREAS, the Village of Lyons has provided a summary and back-up invoices showing an amount spent to date of \$50,939.54; and

WHEREAS, as usual one-third of the cost of this project is borne by the Village of Lyons,

which, in this case their main contribution comes in blacktopping the road using the Village crew; and

WHEREAS, this will occur in the spring and, in the meantime, there are some unpaid bills for materials and labor by outside contractors; and

WHEREAS, a final audit will be done upon completion of the project; now, therefore, be it

RESOLVED, that a partial payment to upfront funds to the Village of Lyons to cover said unpaid bills in the amount of \$18,182.49 plus a payment to the Wayne County Highway Department in the amount of \$14,548.60 for their services on this project are hereby approved.

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

**RESOLUTION NO. 228-04: AUTHORIZATION TO PAY OUT-OF-TITLE PAY TO CLERK TYPIST ANNA SHIPLEY**

Mr. Hoffman presented the following:

WHEREAS, the position of Criminal Records Clerk has yet to be filled; now, therefore, it be

RESOLVED, that the Wayne County Sheriff is hereby authorized to pay Anna Shipley, Clerk Typist Out-of-Title Pay as a Criminal Records Clerk, retroactive to January 29, 2004, until such time that a Criminal Records Clerk is appointed. These funds shall be paid as a miscellaneous adjustment from the Criminal Records Clerk Line Item A3110.1367.

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

**RESOLUTION NO. 229-04: AUTHORIZATION TO EXECUTE GRANT APPLICATIONS FOR EMERGENCY MANAGEMENT OFFICE**

Mr. Hoffman presented the following:

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign grant application for \$60,000 for a project which is a collaborative effort with law enforcement agencies and involves the purchase of tablet computers to be used in the field by officers; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign grant application for \$150,000 for a grant consisting of two parts:

Part I involves the purchase of a new pickup truck for the purpose of pulling two decontamination trailers for training and emergency response.

Part II involves the purchase of tablet computers to be used by field officers that are part of an interoperable communications system that will allow officers to access the Counter Terrorism Network, the Upstate NY Regional Intelligence Center and the Spectrum Justice System through one central server.

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

**RESOLUTION NO. 230-04: AUTHORIZATION TO ACCEPT GRANT FROM THE 1998 EDWARD BYRNE MEMORIAL FORMULA GRANT PROGRAM – CRIMINAL JUSTICE RECORDS IMPROVEMENT PROGRAM AND AMEND SHERIFF'S BUDGET**

Mr. Hoffman presented the following:

WHEREAS, the Wayne County Office of Sheriff has received a grant in the amount of \$22,575 with a local match of \$7,525 (to be taken from the Wayne County Jail Commissary Account) for purpose of improving criminal history record information at the State and local levels through implementation of a digital fingerprint imaging (livescan) system.

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

RESOLVED, that the Sheriff's Budget Account No. A3110-Sheriff is hereby amended as follows:

Increase Appropriations: .2500 (Other Equipment) by \$22,575

Increase newly created Revenue: .4326 (DCJS-CJIP) by \$22,575

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

**RESOLUTION NO. 231-04: AUTHORIZATION TO CREATE LINE ITEM AND TRANSFER FUNDS FOR SHERIFF'S JUVENILE BUDGET**

Mr. Hoffman presented the following:

RESOLVED, that line item .1906 (Shift Differential) is hereby created in Account No. A3113 - Juvenile Office and the County Treasurer is hereby authorized and directed to transfer the following funds within Account No. A3113 - Juvenile Office:

\$1,200 from .1904 (Overtime) to .1906 (Shift Differential)

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

**RESOLUTION NO. 232-04: AUTHORIZATION TO PURCHASE LIGHT BAR AND TRANSFER FUNDS WITHIN THE RECREATIONAL SAFETY BUDGET**

Mr. Hoffman presented the following:

RESOLVED, that the County Treasurer is hereby authorized and directed to transfer the following funds within Account No. A3111 - Recreational Safety:

\$585.00 from .2300 (Motor Vehicles) to .2500 (Other Equipment)

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

**RESOLUTION NO. 233-04: AUTHORIZATION FOR LICENSING ASSISTANCE OFFICE TO COMPLETE FCC LICENSING APPLICATIONS**

Mr. Hoffman presented the following:

WHEREAS, the Licensing Assistance Office ("LAO"), of Gettysburg, PA has been used successfully in the past to prepare and submit FCC license applications; and

WHEREAS, the County of Wayne needs to modify four current FCC licenses in relation to the previously authorized communications tower construction project; now, therefore, be it

RESOLVED, that the E-911 Coordinator is authorized to direct LAO to prepare and submit all necessary license modifications in relation to the current tower project, at a cost not to exceed \$800 (not including FCC fees); and be it further

RESOLVED, that the Board of Supervisor authorizes that all licensing fees to be submitted to the FCC in relation to the above mentioned project shall be submitted to LAO for forwarding to the FCC upon application submission.

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

**RESOLUTION NO. 234-04: AMEND BUDGET FOR "INCIDENT RESPONSE TO TERRORISM BOMBING AWARENESS" GRANT**

Mr. Hoffman presented the following:

WHEREAS, the County of Wayne has been approved for a Division of Criminal Justice

Services grant in the amount of \$25,500.00 to plan and implement OSLDPS "Incident Response to Terrorism Bombings Awareness" seminar for approximately 100 attendees; and

WHEREAS, participants will include representative from command and first responders, the grant will reimburse the county's costs for both the developing and implementing the training exercises, including regular county wages and overtime as required; now, therefore, be it

RESOLVED, that Account No. A3640 -Emergency Management Office is hereby amended as follows:

- \$ 500.00 from .1112 Typist (Appropriations-County)
- \$ 500.00 to .1112 Typist (Appropriations)
- \$ 500.00 from .1494 Operations Officer (Appropriations-County)
- \$ 500.00 to .1494 Operations Officer (Appropriations)
- \$ 5,106.00 to .2200 Office Equipment (Appropriations)
- \$13,617.00 to .4000 Contractual Expenses (Appropriations)
- \$ 750.00 to .4150 Office Supplies (Appropriations)
- \$ 100.00 to .4166 Postage (Appropriations)
- \$ 2,550.00 to .4400 Contractual Services (Appropriations)
- \$ 604.00 to .4408 Copier Expense (Appropriations)
- \$ 1,000.00 to .4425 Equipment-Mints. & Repairs (Appropriations-County)
- \$ 200.00 to .4456 Printing (Appropriations)
- \$ 1,573.00 to .4600 Miscellaneous Expense (Appropriations)
- \$25,500.00 to .4306 Homeland Security (Revenue)

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

**RESOLUTION NO. 235-04: AMEND BUDGET FOR TRAINING REGARDING CHEMICAL WEAPONS OF MASS DESTRUCTION GRANT**

Mr. Hoffman presented the following:

WHEREAS, the County of Wayne, has been approved for a Division of Criminal Justice Services grant in the amount of \$2,621.00, for development of Chemical Weapons of Mass Destruction tabletop training exercise for command and first responders; and

WHEREAS, participants will include representatives from Emergency Management, Sheriff's Office, Public Health, Emergency Medical Services, E-911 and Fire Coordinators Office and the grant will reimburse the county's costs for both the developing and implementing the training exercises, including regular county wages and overtime as required; now, therefore, be it

RESOLVED, that Account No. A3640 - Emergency Management Office is hereby amended as follows:

- Increase Appropriations
  - \$2,359.00 to .4000 Contractual Expenses
  - \$ 262.00 to .4400 Contractual Services

- Increase Revenue
  - \$2,621.00 to .4306 Homeland Security

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

**RESOLUTION NO. 236-04: AMEND BUDGET FOR TRAINING REGARDING CHEMICAL WEAPONS OF MASS DESTRUCTION GRANT**

Mr. Hoffman presented the following:

WHEREAS, the County of Wayne, has been approved for a Division of Criminal Justice Services grant in the amount of \$28,335.00, to finalize the development of Chemical Weapons

of Mass Destruction tabletop training exercise for command and first responders; and

WHEREAS, participants will include representatives from Emergency Management, Sheriff's Office, Public Health, Emergency Medical Services, E-911 and Fire Coordinators Office and the grant will reimburse the county's costs for both developing and implementing the training exercises, including regular county wages and overtime as required; now, therefore, be it

RESOLVED, that Account No. A3640 - Emergency Management Office is hereby amended as follows:

- \$ 500.00 from .1112 Typist (Appropriations-County)
- \$ 500.00 to .1112 Typist (Appropriations)
- \$ 500.00 from .1494 Operations Officer (Appropriations-County)
- \$ 500.00 to .1494 Operations Officer (appropriations)
- \$ 2,294.00 to .2200 Office Equipment (Appropriations)
- \$20,819.00 to .4000 Contractual Expenses (Appropriations)
- \$ 81.00 to .4166 Postage (Appropriations)
- \$ 2,834.00 to .4400 Contractual Services (Appropriations)
- \$ 300.00 to .4408 Copier Expense (Appropriations)
- \$ 1,000.00 to .4425 Equipment-Maint. & Repairs (Appropriations-County)
- \$ 300.00 to .4456 Printing (Appropriations)
- \$ 707.00 to .4600 Miscellaneous Expense (Appropriations)
- \$28,335.00 to .4306 Homeland Security (Revenue)

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

**WAYNE COUNTY BOARD OF SUPERVISORS  
NOTICE OF PUBLIC HEARING REGARDING THE ANNUAL REVIEW PERIOD FOR  
INCLUSION OF LAND IN A CERTIFIED AGRICULTURAL DISTRICT**

Notice is hereby given that a public hearing will be held by the Board of Supervisors of Wayne County, State of New York, on March 16, 2004 at 9:45 a.m. in the Supervisors Chambers, Wayne County Courthouse, 26 Church Street, Lyons, New York, regarding the ANNUAL REVIEW PERIOD FOR INCLUSION OF LAND IN A CERTIFIED AGRICULTURAL DISTRICT. The hearing will be held to consider the recommendations of the Wayne County Agriculture and Farmland Protection Board and any proposed modifications to existing agricultural districts.

The following two (2) properties are proposed to be included in the existing Agricultural District No. 8 within the Town of Rose:

- Tom (and Norma) Savage - tax parcel ID number 74115-00-219210 (57.58 acres)
- George Wilson (Orchard Ave. Farms, Inc.) - tax parcel ID number 74115-00-221033 (5.51 acres)

A tax map illustrating the proposed district modifications and recommendations of the Wayne County Agriculture and Farmland Protection Board may be examined, during regular business hours, in the Wayne County Planning Department, Second Floor, 9 Pearl St., Lyons, N.Y. 14489.

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

Your participation and comments can affect the Board of Supervisor's decision to modify Agricultural District No. 8.

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

Dated: March 02, 2004

Kim Park, County Administrator/Clerk

Lyons, New York

Wayne County Board of Supervisors

The Deputy Clerk read the Notice of Public Hearing. After all interested persons were heard, Mr. Spickerman moved, seconded by Mr. Fabino, that the hearing be closed. Upon roll call, carried.

**RESOLUTION NO. 237-04: APPROVE MODIFICATION OF AGRICULTURAL DISTRICT 8**

Mr. Spickerman presented the following:

WHEREAS, the New York State Legislature has passed legislation allowing landowners to apply to the Board of Supervisors for inclusion of predominantly viable agricultural land into certified agricultural districts prior to the County established review period; and

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

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

WHEREAS, Tom (and Norma) Savage and George Wilson (Orchard Ave. Farms, Inc.), requested to have their land, tax parcel ID numbers 74115-00-219210 (57.58 acres) and 74115-00-221033 (5.51 acres), respectively, included in a certified agricultural district; and

WHEREAS, the Agricultural Development Board has reviewed and approved this modification; and

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

RESOLVED, that Agricultural District No. 8, Towns of Arcadia, Galen, Lyons and Rose is hereby modified to include two (2) additional tax parcels, No. 74115-00-219210 (57.58 acres) and 74115-00-221033 (5.51 acres).

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

**RESOLUTION NO. 238-04: 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	\$2,643,065.34
2. CD Fund	\$ 1,919.29
3. D Fund	\$ 497,187.80
4. DM Fund	\$ 40,122.56
5. E Fund	\$1,446,736.01
6. H Fund	\$ 367,729.10

and be it further

RESOLVED, that the following utilities totaling \$161,682.69, processed pursuant to Resolution No. 176-78, are hereby ratified:

1. A Fund	\$ 114,862.18
2. CD Fund	\$ 807.25
3. DM Fund	\$ 6,664.41
4. E Fund	\$ 39,348.85

and be it further

RESOLVED, that the checks processed for the Department of Social Services for Special Assessments, totaling \$340.00, are hereby ratified.

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

**RESOLUTION NO. 239-04: AUTHORIZING FOR THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO EXECUTE AN EASEMENT WITH NEW YORK STATE ELECTRIC & GAS**

Mr. Colvin presented the following:

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an easement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with New York State Electric & Gas ("NYSEG") for electric service to the Wayne County Nursing Home located on Nye Road, Town of Lyons.

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

**RESOLUTION NO. 240-04: AUTHORIZATION TO APPROVE A CHANGE ORDER FROM LECHASE CONSTRUCTION SERVICES, LLC**

Mr. Colvin presented the following:

WHEREAS, Labella Associates and the Pike Company and the Ad-Hoc Committee of the Board of Supervisors for the Nursing Home Project, per recommendations by the Department of Health, gave requested approval for a change order to relocate the Soiled Utility Room for the new Nursing Home Facility; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute the following change order:

<u>CONTRACTOR</u>	<u>COST OF ADDITIONAL WORK</u>
LeChase Construction Services, LLC	Not to exceed \$13,154.28

Mrs. Chittenden moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, all Supervisors voted Aye, except Supervisors Spickerman and Fabino who voted Nay. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 241-04: AUTHORIZATION TO APPROVE A CHANGE ORDER FROM LECHASE CONSTRUCTION SERVICES, LLC**

Mr. Colvin presented the following:

WHEREAS, Labella Associates and the Pike Company and the Ad-Hoc Committee of the Board of Supervisors for the Nursing Home Project gave requested approval for a change order to provide Department of Health modifications to the nurse stations for the new Nursing Home Facility; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute the following change order:

<u>CONTRACTOR</u>	<u>COST OF ADDITIONAL WORK</u>
LeChase Construction Services, LLC	Not to exceed \$23,631.00

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

Mr. Colvin moved, seconded by Mr. Jenkins, that six (6) resolutions be allowed on the floor under Other Business. Upon roll call, carried.

**RESOLUTION NO. 242-04: SETTING DATE OF PUBLIC HEARING TO AMEND LOCAL LAW NO. 1-2004 IN RELATION TO THE BOUNDARIES OF SAID EMPIRE ZONE**

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 April 20, 2004 at 9:30 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. 1-2004 authorizing 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.

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, as follows:

SECTION 1.

Section 2. of Local Law No. 3-2002 as amended by Local Law No. 7-2002, Local Law No. 2-2003, Local Law No. 4-2003 and Local Law No. 1-2004 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" is hereby amended to read as follows:

"Section 2.

The boundaries of said certain areas to be deleted from said Empire Zone shall be as set forth in Amended Schedule A which is attached hereto and made a part hereof."

SECTION 2.

This local law shall take effect immediately upon the date it is filed in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law of the State of New York.

SECTION 3.

The Commissioner of the New York State Department of Economic Development is hereby requested to revise the boundaries of the Empire Zone in accordance with this Local Law; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to give at least five days notice of such hearing by posting such notice upon the bulletin board at the 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. Hammond moved the adoption of the resolution. Seconded by Mr. Fabino. Upon roll call, adopted.

**RESOLUTION NO. 243-04: SETTING DATE OF PUBLIC HEARING TO AMEND 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 AND LOCAL LAW NO. 2-2004 IN RELATION TO THE BOUNDARIES OF SAID EMPIRE ZONE**

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 April 20, 2004 at 9:45 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 and Local Law No. 2-2004 authorizing 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.

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, as follows:

SECTION 1.

Section 2. of 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 and Local Law No. 2-2004 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" is hereby amended to read as follows:

"Section 2.

The boundaries of said certain areas to be added to said Empire Zone shall be as set forth in Amended Schedule A which is attached hereto and made a part hereof."

SECTION 2.

This local law shall take effect immediately upon the date it is filed in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law of the State of New York.

SECTION 3.

The Commissioner of the New York State Department of Economic Development is hereby requested to revise the boundaries of the Empire Zone in accordance with this Local Law; and be it further

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

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

**RESOLUTION NO. 244-04: SETTING DATE OF PUBLIC HEARING ON ALLOCATION OF OF EMPIRE ZONE ACREAGE UNDER THE 75%/25% RULES FOR BOUNDARY REVISION UNDER NEW YORK STATE LAW**

Mr. Spickerman presented the following:

WHEREAS, a public hearing is necessary to fulfill legal requirements for the designation of an Empire Zone boundary amendment and allocation of acreage under the 75%/25% rules; and

WHEREAS, the effective date of a boundary amendment will be no less than 30 days after this Public Hearing; and

WHEREAS, the allocation for the addition to the Empire Zone will be under the 25% acreage designation of the Wayne County Empire Zone; now, therefore, be it

RESOLVED, that a public hearing shall be held on March 30, 2004 at 9:30 am at the Board of Supervisors' office, Court House, 26 Church Street, Lyons, New York 14489 to hear public opinion on Empire Zone acreage to be allocated from the 25% designation of the Wayne County Empire Zone.

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

**RESOLUTION NO. 245-04: DECLARE SUBORDINATION AGREEMENT NULL AND VOID AND RATIFY THE ACTIONS OF THE CHAIRMAN WITH REGARD TO NEW SUBORDINATION AGREEMENT**

Mr. Spickerman presented the following:

WHEREAS, Wayne County filed a subordination agreement with the Wayne County

Clerk on February 28, 2003 to allow Arnold Tyler to refinance his home at a lower interest rate and to consolidate a second mortgage into the transaction in accordance with Resolution 113-03; and

WHEREAS, this agreement subordinated Wayne County's mortgage position to New Century Mortgage Corporation, which would have loaned Mr. Tyler \$58,500; and

WHEREAS, Mr. Tyler did not receive a loan from New Century Mortgage Corporation and instead has refinanced with Aames Funding Corporation for \$60,000; and

WHEREAS, Mr. Tyler's home was scheduled for foreclosure on March 12, 2004 unless he could obtain financing, which was not available to him in the absence of a subordination agreement between the finance company and Wayne County; and

WHEREAS, to prevent foreclosure on Mr. Tyler's property, the Chairman of the Board of Supervisors executed a subordination agreement between the County and Aames Funding Corporation subsequent to approval as to form and content by the County Attorney; now, therefore, be it

RESOLVED, that the original subordination agreement with New Century Mortgage Corporation is declared null and void and is replaced by a subordination agreement with Aames Funding Corporation; and be it further

RESOLVED, that the actions of the Chairman of the Board of Supervisors in connection with the subordination agreement between Wayne County and Aames Funding Corporation are hereby ratified.

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

**RESOLUTION NO. 246-04: AUTHORIZATION TO EXECUTE A CONTRACT ON BEHALF OF THE COUNTY OF WAYNE, WITH TOWN OF ONTARIO AND WAYNE CENTRAL SCHOOL DISTRICT TO HIRE COUCH WHITE, COUNSELORS AND ATTORNEYS AT LAW, FOR NEGOTIATION SERVICES REGARDING THE VALUATION OF THE GINNA NUCLEAR POWER PLANT**

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 the Town of Ontario and Wayne Central School District, to hire Couch White, Counselors and Attorneys at Law, for negotiation services regarding the valuation of the Ginna Nuclear Power Plant at a cost not to exceed \$10,000.

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

**RESOLUTION NO. 247-04: AUTHORIZATION TO EXECUTE A LOAN AGREEMENT WITH THE TOWN OF ROSE FOR DEVELOPMENT OF NEW WATER DISTRICT**

Mr. Colvin presented the following:

WHEREAS, the town of Rose is part of Wayne County and was established as such in the mid 1800's; and

WHEREAS, the town of Rose is in need of funds for development of a new water district; and

WHEREAS, the County has made monies available to the Water Authority at no interest until August of 2002 and then nominally charged 2% interest; and

WHEREAS, the County has utilized a rather "lax" payback schedule, as only \$300,000 have been returned out of \$1,200,000 since 1986; and

WHEREAS, the terms of such loan agreement between the County and the Water Authority allow the Water Authority to pay back said loan only if they have funds to do so;

now, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorizes a loan under the same terms as the Water Authority to the Town of Rose in the sum of \$400,000.

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

**RESOLUTION NO. 248-04: AUTHORIZING PROPERTY DAMAGE CLAIM SETTLEMENT**

Mr. Lyon presented the following:

WHEREAS, an accident occurred on February 11, 2004, on Gobblers Knob Road in the Town of Rose when an ALS Vehicle backed into a vehicle owned by John M. Hildebrant and caused damage to said vehicle in the amount of \$1,161.67; now, therefore, be it

RESOLVED, that the following property claim settlement is hereby approved and the County Treasurer is authorized and directed to pay the settlement from Account No. A1930 (Judgments & Claims) as directed by the County Attorney:

Claimant:: John M. Hildebrant                      Settlement Amount: \$1,161.67

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

**EXECUTIVE SESSION:** Mr. DeSanto moved, seconded by Mr. Frederick, that the Board go into Executive Session a personnel matters. Upon roll call, carried.

**REGULAR SESSION:** Mr. Fabino moved, seconded by Mr. Colvin, that the Board resume regular session. Carried.

**ADJOURNMENT:** The Chairman adjourned the Board until Tuesday, April 20, 2004 at 9:00 a.m.

Kim Park, Clerk, Wayne County Board of Supervisors  
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