

7th Day
Tuesday, April 18, 2006
7:00 p.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. Fabino moved, seconded by Mr. DeSanto, that the minutes of the previous meeting be approved as printed. Upon roll call, carried.

SUMMARY OF CLAIMS BY COMMITTEE:

Committee 2	Supervisors, Personnel and Salary	
A10104	Legislative Board	5,932.39
A14204	County Attorney	1,158.07
A14304	Personnel Department	1,258.91
A16704	Undistributed Meter Postage	1,689.00
A16724	Court House Xerox	168.00
		10,206.37
Committee 3	Assessment and Insurance	
A13554	Assessment - Real Property Tax	16,334.70
A14314	Cafeteria Plan	1,212.00
A19104	Unallocated Insurance	316,994.60
A19304	Judgments & Claims	15,824.93
		350,366.23
Committee 4	Judicial	
A11654	District Attorney	3,894.19
A11704	Public Defender	5,353.02
A11724	Legal Defense of Indigents	35,165.44
A11734	Wayne Pre-Trial Services, Inc.	8,527.83
A11854	Coroner	12,625.13
A11904	Grand Jury	1,749.66
A31174	Animal Abuse Investigations	753.70
A31404	Probation	6,109.06
		74,178.03
Committee 5	Buildings, Grounds and Parks	
A16152	Building & Grounds	4,510.98
A16154	Building & Grounds	32,520.36
H19152	Parks Project	59.16
		37,090.50
Committee 6	County Clerk, Elections and Veterans	
A14104	County Clerk	18,254.80
A14504	Board of Elections	1,108.57
A65104	Veteran Services	2,311.80
		21,675.17

Committee 7	Highway	
A16402	Central Garage	5,663.33
A16404	Central Garage	9,442.98
D50104	Highway Administration	260.51
D51104	Maintenance of Roads & Bridges	28,693.01
D51114	Road Striping & Sign Maint	35,278.35
D51122	Road Construction	125,526.47
DM51304	Road Machinery	72,933.93
		277,798.58
Committee 8	Social Services	
A60102	Administration	3,527.15
A60104	Administration	155,987.59
A60704	Purchase of Services	3,104.21
A61094	Family Assistance	200.00
A61234	Juv Delinquent Care	22,345.00
A61404	Safety Net	1,000.00
A62124	WFD/DSS Intensive Employment	459.52
A62144	Economic Opportunity & Develop	81.49
CD62934	WIA Adult	78.00
CD62944	WIA Dislocated	78.96
CD62954	WIA Youth	620.26
CD62984	WIA TTA	312.86
E60002	NH Combined	1,140.72
E60004	NH Combined	263,776.84
		452,712.60
Committee 9	Historical and Education	
A24904	Community College	433,192.76
A75104	County Historian	537.86
		433,730.62
Committee 10	Finance	
A13254	Treasurer	1,841.87
A13644	Expenses on Prop Acquired For	98.79
A16714	Printing Department	3,901.50
A16804	Information Technology	80,494.15
H19082	FMS System Update	9,253.19
		95,589.50
Committee 11	Public Health	
A40104	Public Health	4,614.00
A40114	Public Health Service	18,567.82
A40162	PH - Early Intervention 0-1	1,155.02
A40164	PH - Early Intervention 0-1	167,850.74
A40174	PH - Child w/Spec Needs 3-5	643,606.34
A40184	Public Health Education	3,311.00
A40194	Wayne Community Nursing Care	28,457.28
A43002	Behavioral Health	1,442.69
A43004	Behavioral Health	86,697.25
A43224	Community Providers	187,959.66
		1,143,661.80
Committee 12	Planning	

A56324	Bus Operations	9,469.30
A63264	Economic Development Admin	64,350.00
A64104	Publicity (Tourism)	2,151.50
A64114	Tourism Matching Funds Program	10,021.58
A80202	Planning Board	1,596.69
A80204	Planning Board	24,594.74
A81604	Solid Waste Management	242,342.75
A86874	Economic Development Zone Admn	18.36
		354,544.92

Committee 13	Public Safety	
A31104	Sheriff	16,440.30
A31114	Sheriff - Recreational Safety	926.57
A31124	Sheriff - Civil Office	2,028.25
A31134	Sheriff - Juvenile Office	1,663.73
A31142	Sheriff - Road Patrol	65,060.50
A31144	Sheriff - Road Patrol	5,771.69
A31154	Sheriff - Detective Unit	861.60
A31164	Sheriff - Court Security	167.05
A31504	Sheriff - Jail	28,314.32
A33154	Stop DWI	2,342.83
A34104	Mutual Aid (Fire Coordinator)	1,772.80
A36402	Emergency Management Office	1,848.91
A36404	Emergency Management Office	5,959.58
A36422	E911 Communications	1,297.50
A36424	E911 Communications	10,789.15
A36444	ALS Services	1,031.68
A66104	Consumer Affairs (W&M)	20.73
H19352	Enhance 911 Emergency Telephone	3,090.90
		149,388.09

Committee 14	Agriculture, Aging, Youth and Recreation	
A67722	Area Agency on Aging	8,188.80
A67724	Area Agency on Aging	29,359.25
A73104	Youth Bureau	27,003.05
A73114	Youth Program - Recreation	66.80
A87304	Soil Conservation	61,491.67
A87544	County Extension Serv	103,069.75

Warrant Total **3,630,121.73**
During the Month Utilities

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

COMMUNICATIONS:

The Sheriff's Reports for the month of April 2006, totaling \$8,839.45, were received and filed.

A letter was received from the NYS Association of Counties, confirming the receipt of Wayne County's Resolution No. 224-06, "Resolution Urging Governor and Legislature of the State of New York to Increase Local Funding for Highways and Bridges"

A copy of the application for the Town of Marion to establish the Northwest Water District (Phase III) of the Town of Marion (Water District No. 7), was received and filed.

A copy of a certified resolution was received from Schoharie County Board of Supervisors entitled, "Requesting NYS to take back local Share of Medicaid as a component of true

Medicaid reform, and to utilize current budget surplus to fund same.

A copy of a letter was received regarding the appointment of Ms. Ellis Briggs as a Wayne County Board of Supervisors Representative on the Central NY Regional Market Authority's Board of Directors.

Ms. Park moved, seconded by Mr. Plant, that the Communications be received and filed. Upon roll call, carried.

BIDS:

Uniforms and Associated Equipment Services for the Wayne County Sheriff's Department
Dry Cleaning Services for Sheriff's Department
Wayne County Recycling Program
Highway Construction and Maintenance Materials

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

ANNUAL REPORTS:

WC E911 Communications	WC Community Services Board
WC Board of Elections	Wayne Behavioral Health Network
WC Tourism and Promotion	Department of Aging and Youth
WC Mutual Aid	Lyons Community Health Initiatives Corp.
WC ALS-Advance Life Support	WC Water and Sewer Authority
WC Buildings and Grounds Department	

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

PROCLAMATIONS:

National Nurses' Week - May 6th-12th
National Nursing Home Week - May 14th -20th
Community Action Month – May 2006
Mental Health Month – May 2006

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

RESOLUTION NO. 227-06: AUTHORIZATION FOR STOP DWI POSTER AWARDS

Mrs. Bender presented the following:

RESOLVED, that the Wayne County Stop-DWI Program is hereby authorized to present a check to each of 4 winners of the year 2006 Stop DWI Poster Contest and a check of equal value will be given to the SADD Group in the school they attend.

	Individual	SADD Group
1st Prize	\$100	
2nd Prize	75	
3rd Prize	50	50
4th Prize	<u>25</u>	<u>25</u>
Total	\$250	\$75
Grand Total	\$325	

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

RESOLUTION NO. 228-06: AUTHORIZING CHEMICAL-FREE PROM AND GRADUATION PARTY GRANTS

Mrs. Bender presented the following:

RESOLVED, that Stop-DWI is authorized to present a check to each Wayne County school that applies and qualifies for an alcohol/drug free Graduation or Prom Party Grant,

RESOLVED, that Stop-DWI is hereby authorized to present a check to the following

Wayne County schools that applied and qualified for an alcohol/drug free Graduation or Prom Party Grant at a cost not to exceed \$2,500.

Lyons Central School	Palmyra-Macedon Central School
North Rose-Wolcott Central School	Newark Central School
Marion Central School	Williamson Central School

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

RESOLUTION NO. 229-06: AUTHORIZATION FOR CHAIRMAN TO SIGN PARTICIPATION AGREEMENT WITH STATE EMERGENCY MANAGEMENT OFFICE FOR EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM

Mrs. Bender presented the following:

RESOLVED, that the Chairman of Board is hereby authorized to sign a Participation Agreement for Federal Fiscal Year 2006 with the State Emergency Management Office to confirm that Wayne County wishes to participate in the Emergency Management Performance Grant Program for FFY2006.

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

RESOLUTION NO. 230-06: AWARD BIDS FOR UNIFORMS AND ASSOCIATED EQUIPMENT SERVICES FOR THE WAYNE COUNTY SHERIFF'S DEPARTMENT

Mrs. Bender presented the following:

WHEREAS, the Clerk of the Board of Supervisors has duly advertised for sealed bids for uniforms and associated equipment for the Wayne County Sheriff's Department in accordance with specifications prepared by the Sheriff's Department; and

WHEREAS, the following bid was received:

BIDDER: **UNITED UNIFORM COMPANY, INC.**
495 North French Road
Buffalo, NY 14228

now, therefore, be it

RESOLVED, that the bid submitted by United Uniform Company, Inc is hereby accepted; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with United Uniform company, Inc. for provision of uniforms and associated equipment services for the Sheriff's Department for the period 4/1/06 – 3/31/07 with the option of two (2) renewal periods of one year each at a 2% increase each year; and be it further

RESOLVED, that said bid is itemized as follows:

BID FOR FIRST YEAR OF THE CONTRACT:

Item #1 Uniform Long Sleeve Shirt	
Black	\$40.75
White	\$39.75
Item #1a Uniform Long Sleeve Shirt (Optional)	
Black	\$38.25
White	\$37.25
Item #2 Uniform Short Sleeve Shirt	
Black	\$39.75
White	\$38.75

Item #2a Uniform Short Sleeve Shirt (Optional)	
Black	\$37.75
White	\$36.75
Item #3 Uniform Long Sleeve Shirt (Men's/Woman's)	
Silver Grey	\$37.75
Item #4 Uniform Short Sleeve Shirt (Men's/Woman's)	
Silver Grey	\$35.75
Item #5 Uniform Trousers – Year Round (Men's Woman's)	
Black	\$54.75
Item #5a Uniform Trousers – (Optional) Men's/Woman's	
Black	\$42.75
Item #5b Uniform Trousers – (Optional) Men's/Woman's	
Black	\$50.75
Item #5c Uniform Trousers – (Optional) Men's/Woman's	
Black	\$36.75
Item #6 Uniform All-Seasons Jacket	
Black	\$184.75
Item #6a Uniform All-Season Convertible Jacket (Optional)	
Black	\$224.75
Item #6b Uniform All-Season Convertible Jacket (Optional)	
Black	\$114.75
Item #6c Uniform All-Season Convertible Special Use Jacket (Optional)	
Black	\$210.75
Item #7 Uniform Fatigue Long Sleeve Shirt	
Silver-Grey	\$14.75
Item #8 Uniform Fatigue Short Sleeve Shirt	
Silver-Grey	\$13.75
Item #9 Uniform Fatigue Trouser	
Silver Grey	\$16.75
Item #10 Raincoat Lightweight Nylon Reversible	
Black/Yellow	\$89.75
Item #10a Raincoat Lightweight Nylon Reversible (Optional)	
Black/Yellow	\$162.75
Item #11 Uniform Shorts	
Black	\$34.75

Item #11a Uniform Shorts (Optional) Black	\$39.75
Item #12 Reflective Safety Vest Fluorescent Yellow	\$42.75
Item #12a Reflective Vest (Optional) Fluorescent Yellow	\$33.75
Item #13 Necktie – Knit – Pre-Tied Black	\$5.00
Item #14 Uniform Fatigue Cap -Reduced Emblem Black	\$8.50
Item #15 Stripes - Uniform Sergeant Black/Gold	\$1.50
Item #16 Key Strap Plain Black	\$5.50
Item #17 Garrisons Belt Plain Black	\$11.75
Item #18 Gunbelt Plain Black	\$46.75
Item #19 Holsters Plain Black	\$64.75
Item #19a Holster Plain Black	\$109.75
Item #20 Cartridge Holder Plain Black	\$18.75
Item #21 Magazine Holder Plain Black	\$28.75
Item #22 Handcuff Case Plain Black	\$22.75
Item #23 Keeper Strap Plain Black	\$3.25
Item #24 Handcuff Standard 10 Oz.	\$23.25
Item #25 Shirt Badge Hi-Glo/ Full-Color	\$48.75
Item #25a Shirt Badge Hi-Glo/ Full-Color	\$47.75
Item #26 Name Tag	

Gold/Black	\$7.50
Item #27 Collar Devices "WC – SO" Gold	\$6.50
Item #28 Collar Device "K-9" Gold	\$3.00
Item #29 Service Pin Gold/Black	\$7.50
Item #30 Baton Holder Plain Black	\$6.75
Item #31 Baton Black	\$41.75
Item #32 Hat Protector Clear	\$5.00
Item #33 Tie Tack Gold/Black	\$8.50
Item #34 Winter Boot Insulated Man's Plain Black	\$116.75
Woman's Plain Black	\$113.75
Item #35 Summer Boot Man's Plain Black	\$79.75
Woman's Plain Black	\$77.75
Item #36 Chukka Boot Man's Plain Black	\$79.75
Woman's Plain Black	\$77.75
Item #37 Low-Quarter Dress Shoe Man's Plain Black	\$62.75
Woman's Plain Black	\$60.75
Item #38 Uniform Commando Sweater – Long Sleeve Black	\$48.75
Item #38a Uniform Commando Sweater – Long Sleeve (Optional) Black	\$50.75

Emblems

Emb #1	Full Embroidered	\$3.75
Emb #1a	Full Embroidered	\$3.25
Emb #2	Full Embroidered	\$2.75
Emb #3	Full Embroidered	\$2.75
Emb #4	Full Embroidered	\$3.25
Emb #5	Full Embroidered	\$3.25
Emb #6	Full Embroidered	\$3.25

Second Year Annual Increase (In Per Cent) 2%
 Third Year Annual Increase (In Per Cent) 2%

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

RESOLUTION NO. 231-06: AUTHORIZATION TO AWARD BIDS FOR DRY CLEANING SERVICES FOR SHERIFF'S DEPARTMENT

Mrs. Bender presented the following:

WHEREAS, the Clerk of the Board of Supervisors duly advertised for bids for dry cleaning services for the Wayne County Sheriff's office; and

WHEREAS, the only bid received was as follows:

Stotts Cleaners, 111 W. Shore Blvd., Newark, NY 14513

Summer Uniform:	Short Sleeve Shirt	\$2.05
	Trouser	\$1.90
	Lightweight Nylon Jacket	\$1.70
Winter Uniform:	Long Sleeve Shirt	\$2.05
	Trouser	\$1.90
	Winter Jacket	\$1.70
	Tie	N/C
Court Attendant:	Blouse	\$2.05
	Blazer	\$1.70
Minor Alterations	Per Piece	\$1.50 minor
Second Year Annual Increase (in per cent)		5%
Third Year Annual Increase (in per cent)		5%

now, therefore, be it

RESOLVED, that the bid submitted by Stotts Dry Cleaners is hereby accepted for the period 1/01/06 – 12/31/07.

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

RESOLUTION NO. 232-06: AUTHORIZATION TO ACCEPT AND AWARD CONTRACT FOR TELEPHONE SYSTEM INSTALLATION FOR E911 COMMUNICATIONS

Mrs. Bender presented the following:

WHEREAS, the Clerk of the Board of Supervisors duly advertised for bids for the 911 Answering Point Telephone System for the 911 Back-up PSAP; and

WHEREAS, the following bids were received and reviewed by the Wayne County E911 Coordinator and the Public Safety Standing Committee of the Wayne County Board of Supervisors:

Finger Lakes Communication Co., Inc. 305 Clark St. Auburn, NY 13021	\$140,000
Verizon New York 1095 Avenue of the Americas New York, NY 10036	\$260,658

now, therefore, be it

RESOLVED, that the County of Wayne hereby accepts the bid of \$140,000 submitted by Finger Lakes Communication Co., Inc., and be it further

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to execute a contract between the County of Wayne, and Finger Lakes Communication Co., Inc., relative to the purchase and installation of a phone system for the back-up 911 PSAP at the State Emergency Management Office, with such contract subject to the approval of the County

Attorney as to form and content.

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

RESOLUTION NO. 233-06: AUTHORIZATION TO FUND MEDICAL EDUCATION CLASS ON PEDIATRIC EDUCATION FOR PREHOSPITAL PROVIDERS (PEPP) WITH TWIG TRUST FUNDS

Mrs. Bender presented the following:

WHEREAS, the County of Wayne has previously received funding from the Myers Hospital TWIG association, which is to be used to further EMS education in the county; and

WHEREAS, a training class entitled Pediatric Education for Prehospital Providers (PEPP) has been scheduled to be held at the Ontario Volunteer Emergency Squad on April 29th and 30th, 2006; now, therefore, be it

RESOLVED, that an expenditure of not more than \$125 is hereby authorized to defray material and supply costs for this class; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to process payment, as per an invoice to be submitted by the E-911 Coordinator, payable from the TWIG Trust account at a total cost not to exceed \$125.

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

RESOLUTION NO. 234-06: AUTHORIZATION TO PURCHASE DISPATCH CONSOLE FURNITURE FOR THE 911 BACK-UP PSAP

Mrs. Bender presented the following:

WHEREAS, Wayne County 911 is in the process of upgrading its back-up dispatch site at the State Emergency Management Office in Newark; and

WHEREAS, primary funding for said upgrade is through the New York State Expedited Deployment grant program; and

WHEREAS, Wright Line LLC, of Worcester, MA, is a manufacturer of specialized technical furniture designed for use in 911 centers; and

WHEREAS, Wright Line's dispatch furniture is currently listed on New York State Contract number PC58466; now, therefore, be it

RESOLVED, that the E-911 Coordinator shall be authorized to purchase dispatch console furniture from Wright Line, LLC, for six dispatch positions at the back-up PSAP, at a total cost not to exceed \$61,766.

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

RESOLUTION NO. 235-06: AUTHORIZATION TO PURCHASE COMPUTER AIDED DISPATCH SYSTEM HARDWARE AND SOFTWARE

Mrs. Bender presented the following:

WHEREAS, Wayne County 911 is in the process of upgrading its back-up site at the State Emergency Management Office in Newark; and

WHEREAS, primary funding for said upgrade is through the New York State Expedited Deployment grant program; and

WHEREAS, Wayne County 911 utilizes CAD (Computer Aided Dispatch) system software from Logistic Systems, of Missoula, MT, which is to be expanded to include the back-up site; and

WHEREAS, the CAD hardware utilized by Wayne County 911 at its primary site was manufactured by Dell, holder of New York State contract PT55666; now, therefore, be it

RESOLVED, that the E-911 Coordinator shall be authorized to purchase CAD software and services to equip the back-up site from Logistic Systems, Inc; and be it further

RESOLVED, that the Director of Information Technology, based on the requirements and request furnished by the E-911 Coordinator, shall be authorized to purchase computer

hardware and operating system software from Dell, with the total cost for software, services, and hardware, not to exceed \$38,779.

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

RESOLUTION NO. 236-06: AUTHORIZATION TO TRANSFER FUNDS TO THE RECREATIONAL SAFETY BUDGET

Mrs. Bender presented the following:

WHEREAS, permission is requested to utilize funds to be received which were not budgeted in 2006 from the Jail Budget to the Recreational Safety Budget, to restore funds to 2002 patrol levels and enable the Marine Division to continue to patrol Wayne County Waterways, canal trails and canal system; and

WHEREAS, these funds would be 75% reimbursable by the State of New York; now, therefore, be it

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

A3150-SHERIFF JAIL:

\$25,000 Increase 44336 Federal Housing
\$37,708 Increase 41526 Inmate Housing Revenue

A3111 RECREATIONAL SAFETY BUDGET:

\$43,900 Increase 51377 Deputy Sheriff PT
\$ 9,250 Increase 54105 Boat Expense
\$ 3,900 Increase 54114 Car Expense
\$ 2,300 Increase 54187 Uniform Expense
\$ 3,358 Increase 58200 Payment to Social Security

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

SCHEDULED BUSINESS: 7:30 P.M.

Robert Havrilla, Chairman, ViaHealth of Wayne Board of Directors, addressed the Board to introduce Ms. Annette B. Leahy, President of Newark-Wayne Community Hospital.

Ms. Leahy opened by stating that Newark-Wayne Community Hospital is dedicated in providing first-rate health care to the entire Wayne County community in order to meet the diverse needs of the people living here. Their mission is to provide community centered health care that enhances the quality of life of those we serve.

In closing, Ms. Leahy added that the Newark-Wayne Community Hospital is proud to be a good neighbor by providing the quality health care that residents of our community need with respect and compassion.

Chairman Hoffman opened the floor for speakers to address the board with their concerns this evening. Perspective speakers were asked to sign in and to limit their speeches to 2 minutes.

The following Wayne County Citizens spoke:

James Beckenbach	Steven Montemorano	Hanna Johussi
Ken Nawrocki	Michele Fabrizio	Jane Jonussi
Bill Flick	Anne Salerno	Alexa Castle
Mary Joslyn	Jeff Montemorano	Susan Peterson-Gately
Lee Calhoun	Frank Guelli	Margaret Kasper
Suzi Hawkins-Mance	Jesi Jonussi	Roland Micklem
Bruce Wallace	Evelyn Morelli	Nancy Kasper

John Monson

Joseph DeSanto

RESOLUTION NO. 237-06: AUTHORIZE APPOINTMENTS TO THE WAYNE COUNTY AGRICULTURAL DEVELOPMENT BOARD

Mr. Spickerman presented the following:

WHEREAS, the term of office for the following member of the Agricultural Development Board expired on December 31, 2005:

John Crane, 7903 Dutch Street, Wolcott, NY 14590 (Town of Huron); and

WHEREAS, the following persons are recommended for appointment to the Agricultural Development Board:

Joe Molino, Supervisor T. Ontario, 1850 Ridge Road, Ontario, NY 14519

Doug Mason, 3135 Ridge Road, Williamson, NY 14589;

now, therefore, be it;

RESOLVED, that John Crane is hereby reappointed to the Agricultural Development Board for a term of office effective immediately and expiring on December 31, 2008; and be it further

RESOLVED, that Joe Molino, as Chairman of Committee 14, is hereby appointed to the Agricultural Development Board for a term of office effective immediately and expiring December 31, 2007; and be it further

RESOLVED, that Doug Mason is hereby appointed to the Agricultural Development Board for a term of office effective immediately and expiring on December 31, 2008.

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

RESOLUTION NO. 238-06: AUTHORIZATION TO ACCEPT AGRICULTURE ECONOMIC DEVELOPMENT GRANT FROM USDA

Mr. Spickerman presented the following:

WHEREAS, many of the towns in Wayne County which have updated their comprehensive plans, have highlighted the economic and land use roles of agriculture more than previous plans; and

WHEREAS, the Wayne County Agriculture and Farmland Protection plan, adopted July 1997, identifies "Training for Town, Planning and Zoning Boards" as an important goal; and

WHEREAS, the Northeast Sustainable Agriculture Research & Education (SARE) 2006 SUSTAINABLE COMMUNITY GRANT program would lower the cost to implement a local Planning and Zoning Board "Agricultural zoning" training program; and

WHEREAS, the Wayne County Planning Department was awarded funding in the amount of \$9,250 by the United States Department of Agriculture SARE for SUSTAINABLE COMMUNITY GRANT; now, therefore, be it

RESOLVED, that the County of Wayne accepts the SARE Grant in the amount of \$9,250; and be it further

RESOLVED, that the Chairman of the Board is authorized and directed to execute all documents in connection with this grant, subject to approval as to form and content by the County Attorney.

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

RESOLUTION NO. 239-06: AUTHORIZATION TO EXECUTE AGREEMENT WITH THE WAYNE COUNTY SNOWMOBILE CLUBS

Mr. Spickerman presented the following:

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

WHEREAS, during the past six years snowmobiling has extended recreation potential on trails to include winter use and snowmobile clubs have participated in the NYS Office of Parks, Recreation and Historic Preservation snowmobile grant program, using grant money to support improving and extending trails for snowmobile use; and

WHEREAS, Wayne County has approximately 6000 registered snowmobiles, at least five organized clubs and a regional council; and

WHEREAS, the Wayne County snowmobile clubs provide volunteer labor to develop and maintain snowmobile trails; and

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

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

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

RESOLUTION NO. 240-06: AUTHORIZATION TO CONVEY WOLCOTT FALLS PARK PROPERTY TO THE VILLAGE OF WOLCOTT AND TERMINATING COUNTY JURISDICTION OVER WOLCOTT FALLS PARK

Mr. Spickerman presented the following:

WHEREAS, the Mayor of the Village of Wolcott has advised members of the Board of Supervisors that the Village is interested in reacquiring the County Park (Wolcott Falls Park) located on Mill Street in the Village of Wolcott, and assuming all responsibility for maintenance and upkeep of the Park; and

WHEREAS, a portion of the property comprising Wolcott Falls Park was conveyed by the Village of Wolcott to the County of Wayne by deed dated September 30, 1976, and recorded in the County Clerk's Office in Liber 701 of Deeds at Page 320 and the remaining portion of the park property is owned by the Village; and

WHEREAS, the Wolcott Falls Park annual maintenance cost to the County is \$5,000 and by conveying the Wolcott Falls Park to the Village of Wolcott the County will realize an annual savings of \$5,000; and

WHEREAS, the County agrees to provide the Village of Wolcott and one time payment of \$5,000 to assist with urgent repairs to the Park; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a quit claim deed, subject to approval as to form and content by the County Attorney, conveying the above described property to the Village of Wolcott; and be it further

RESOLVED, that the County Treasurer is authorized and directed to provide a one time payment of \$5,000 to the Village of Wolcott to provide for urgent repairs to the Park; and be it further

RESOLVED, that the Village of Wolcott agrees to use and maintain the Wolcott Falls Park in perpetuity as a public park; and be it further

RESOLVED, that upon delivery of the deed to the Village of Wolcott, the County shall terminate its jurisdiction over Wolcott Falls Park.

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

RESOLUTION NO. 241-06: AUTHORIZATION TO TRANSFER BALANCE OF FUNDS AT THE END OF 2005 IN THE JOINT MUNICIPAL IMPROVEMENTS PROGRAM AND THE INDUSTRIAL DEVELOPMENT PROGRAM TO BE APPROPRIATED IN 2006

Mr. Spickerman presented the following:

WHEREAS, the County of Wayne funds a Joint Municipal Project program and the

Industrial Development program which cross several fiscal years; and

WHEREAS, the County of Wayne eliminated all Capital Projects at the end of 2004 and these two programs were funded in operating budgets of the General Fund in 2005; and

WHEREAS, funds were obligated but not expended in 2005, which need to be added to the 2006 County Budget; and

WHEREAS, the County closed these accounts out to fund balance at the end of 2005; now therefore be it

RESOLVED, that the County Treasurer is hereby authorized to transfer \$609,879.00 in funds from the Appropriated Fund Balance as follows:

A6326 - ECONOMIC DEVELOPMENT ADMINISTRATION:

\$171,207.00 to .54552 Joint Municipal Improvements

\$438,672.00 to .54553 Industrial Development Program

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

RESOLUTION NO. 242-06: AUTHORIZATION TO INCLUDE THE HOTCHKISS BUILDING ON THE TRANSPORTATION IMPROVEMENT PROGRAM LIST AND STATE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) LIST

Mr. Spickerman presented the following:

WHEREAS, the Hotchkiss building has been selected to receive Federal assistance through the NYS Department of Transportation (DOT) for restoration work; and

WHEREAS, the DOT requires that federally assisted properties be included on the federal Transportation Improvement Program (TIP) list and the Statewide Transportation Improvement Program (STIP) list; now, therefore, be it

RESOLVED, that the Planning Department is authorized to work with the NYS DOT prepare and submit required documentation in order to include the Hotchkiss Building on the TIP and the STIP.

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

RESOLUTION NO. 243-06: AUTHORIZATION TO RATIFY AMENDMENTS TO GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL'S COLLABORATION AGREEMENT

Mr. Spickerman presented the following:

WHEREAS, the County of Wayne formally adopted the Collaboration Agreement of the Genesee Finger Lakes Regional Planning Council in 1977 and subsequent amendments; and

WHEREAS, it is necessary for a majority of the members to formally endorse amendments before they become effective; and

WHEREAS, the changes are needed to address the efficient conduct of meetings and to more clearly communicate the intent of the Agreement; now, therefore, be it

RESOLVED, that the amendments as proposed are ratified as submitted; and be it further

RESOLVED, that the Clerk of the Board of Supervisors is authorized and directed to send a copy of this resolution to the Chair of the Genesee Finger Lakes Regional Planning Council.

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

RESOLUTION NO. 244-06: AUTHORIZATION TO AMEND AGREEMENT WITH BERGMANN ASSOCIATES FOR DESIGN SERVICES IN CONNECTION WITH THE SODUS POINT PARK IMPROVEMENT PROJECT

Mr. Spickerman presented the following:

WHEREAS, Resolution 952-04 authorized an Agreement with Bergmann Associates for

the design of improvements to the County Park at Sodus Point (the "Project"); and
WHEREAS, the terms of the Agreement authorized a fee for design services for the Project at an amount not to exceed \$84,580; and

WHEREAS, the cost estimate for the Project came in over budget, necessitating a reduction in the size of the proposed bathhouse and a redesign of the facility, which exceeded the Scope of Services in the original Agreement; now, therefore, be it

RESOLVED, that an amended scope of services for the redesign of the bathhouse and an additional fee for services not to exceed \$20,000 is approved by the Board of Supervisors; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute an amended agreement with Bergmann Associates reflecting the new Scope of Services and additional cost in connection with the Project for an amount not to exceed \$20,000, subject to approval as to form and content by the County Attorney.

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

RESOLUTION NO. 245-06: AUTHORIZE REAPPOINTMENTS TO WAYNE COUNTY PLANNING BOARD

Mr. Spickerman presented the following:

WHEREAS, the terms of office of the following members of the County Planning Board will expire on April 30, 2006:

Larry Lockwood, 8979 York Settlement Road, North Rose, NY 14516
William Bailey, P.O. Box 74, Lyons, NY 14489
Kenneth VandeWalle, 7026 Tuckahoe Road, Williamson, NY 14589
Monica Deyo, 4364 Dormedy Hill Road, Marion, NY 14505;

now, therefore, be it

RESOLVED, that the above members are hereby reappointed to a three year term of office effective immediately and expiring April 30, 2009.

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

RESOLUTION NO. 246-06: AUTHORIZE APPOINTMENT TO WESTERN FINGER LAKES SOLID WASTE MANAGEMENT AUTHORITY

Mr. Spickerman presented the following:

RESOLVED that the following person is appointed to the Western Finger Lakes Solid Waste Management Authority for a term of office effective immediately and expiring December 31, 2008:

Robert Hutteman
6879 Fairville Station Road
Newark, New York 14513

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

RESOLUTION NO. 247-06: AUTHORIZATION TO REJECT BIDS FOR WAYNE COUNTY RECYCLING PROGRAM

Mr. Spickerman presented the following:

WHEREAS, Wayne County received the following bids for the collection and marketing of recyclable materials in Wayne County:

Waste Management of New York, LLC - Year 1 through Year 3	
Base Bid	\$5,007,258
Alternate Bid A	\$221,000

Alternate Bid B	\$32,000
Alternate Bid C	\$90,000
Alternate Bid D	\$150,000

Waste Management of New York, LLC – Year 4	
Base Bid	\$1,770,218
Alternate Bid A	\$81,000
Alternate Bid B	\$12,000
Alternate Bid C	\$30,000
Alternate Bid D	\$50,000

Waste Management of New York, LLC – Year 5	
Base Bid	\$1,823,324
Alternate Bid A	\$89,000
Alternate Bid B	\$14,000
Alternate Bid C	\$38,000
Alternate Bid D	\$50,000

Casella Waste Management of NY, Inc. – Year 1 through 3	
Base Bid	\$2,362,684
Alternate Bid A	\$148,500
Alternate Bid B	\$26,082
Alternate Bid C	\$117,000
Alternate Bid D	\$43,900

Casella Waste Management of NY, Inc. – Year 4	
Base Bid	\$835,281
Alternate Bid A	\$51,975
Alternate Bid B	\$9,128
Alternate Bid C	\$40,950
Alternate Bid D	\$16,100

Casella Waste Management of NY, Inc. – Year 5	
Base Bid	\$860,339
Alternate Bid A	\$54,573
Alternate Bid B	\$9,584
Alternate Bid C	\$42,997
Alternate Bid D	\$17,035;

and

WHEREAS, Wayne County received the following bids for the collection and delivery of recyclable materials in Wayne County:

Waste Management of New York, LLC	No Bid
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Casella Waste Management of NY, Inc. Year 1 through 3	
Base Bid	\$2,624,669
Alternate Bid A	\$148,500
Alternate Bid B	\$26,082
Alternate Bid C	\$117,000
Alternate Bid D	\$43,900

Casella Waste Management of NY, Inc. – Year 4	
Base Bid	\$927,900

Alternate Bid A	\$51,975
Alternate Bid B	\$9,128
Alternate Bid C	\$40,950
Alternate Bid D	\$16,100

Casella Waste Management of NY, Inc. – Year 5	
Base Bid	\$955,737
Alternate Bid A	\$54,573
Alternate Bid B	\$9,584
Alternate Bid C	\$42,997
Alternate Bid D	\$17,035;

now, therefore, be it

RESOLVED, that all bids received for the collection and marketing of recyclable materials in Wayne County as described above are hereby rejected.

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

Mr. Hammond addressed the board regarding the bidding process.

The quest for seeking bids for the privatization of recyclable materials originated at a time when the county was looking into cost saving measures to reduce the county budget, as a whole.

He also commended the public for taking the time to attend the Board's first evening session and encouraged more to attend.

Mr. Fabino added that Sharon Lilla was doing a fine job and should be commended on her position as Coordinator for the Wayne County Recycling Program and Director of the Wayne County Planning Department.

RESOLUTION NO. 248-06: AUTHORIZING AGREEMENT WITH EASTMAN DENTAL CENTER FOR PUBLIC HEALTH DEPARTMENT

Ms. Park presented the following:

WHEREAS, Eastman Dental Center will provide dental services in the form of a "SmileMobile" to eligible residents of Wayne County at no 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 a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with the University of Rochester Eastman Dental Center to locate their "SmileMobile" on site at the Wayne County Facility building parking lot during the summer of 2006 for the purpose of providing dental services to eligible children for the period 6/1/06 – 9/31/06.

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

RESOLUTION NO. 249-06: DECLARATION OF CHARITY CARE FOR WAYNE COUNTY PUBLIC HEALTH DEPARTMENT

Ms. Park 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 that in year 2005, 67 visits qualified as Charity Care, now, therefore, be it

RESOLVED, that the Board of Supervisors acknowledges the amount of \$7910.00 as 2005 Charity Care.

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

call, adopted.

RESOLUTION NO. 250-06: AUTHORIZATION FOR REIMBURSEMENT OF NURSING EDUCATION FOR PUBLIC HEALTH

Ms. Park presented the following:

WHEREAS, Medicaid reimburses Public Health for skilled nursing visits at an 3% increased rate per visit for the sole purpose of retention and recruitment of nurses; and

WHEREAS, these funds must be spent for this purpose or refunded to Medicaid; and

WHEREAS, the Public Health Dept. wishes to support the nursing staff in continuing education activities as a part of this retention allotment; now, therefore, be it

RESOLVED, that the Public Health Dept. is hereby authorized and directed to reimburse nursing employees for the cost of courses and supplies, for courses directly related to work performed by the employee or work which may be reasonably expected to be performed by the employee in the future, above the tuition reimbursement established in the employee contract, and upon successful completion and documentation submission as in section 2 of article 24 of the employee contract.

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

RESOLUTION NO. 251-06: AUTHORIZATION TO INCREASE RATES FOR PUBLIC HEALTH VACCINATIONS AND AMEND THE 2006 SLIDING FEE SCALE

Ms. Park presented the following:

WHEREAS, Wayne County Public Health has experienced an increased cost for vaccine and a new vaccine TDap for adults has been added; and

WHEREAS, the Public Health Department wishes to increase their rates on such vaccinations to help cover the cost; now, therefore, be it,

RESOLVED, that the Wayne County Public Health Director is hereby authorized and directed to increase the rate charged for MMR to \$43.00, the rate for Polio to \$23.00, and the rate for Hepatitis A to \$30.00, and to add the new vaccination rate for TDap of \$34.00; and further, be it

RESOLVED, that the Wayne County Public Health Director is hereby authorized to amend the current 2006 sliding fee scale to incorporate the same, effective 4/18/06.

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

RESOLUTION NO. 252-06: AUTHORIZATION TO AMEND 02/02/06 RESOLUTION TO CONTRACT WITH JANINE QUINLAN AS PART TIME NURSE PRACTITIONER FOR THE PUBLIC HEALTH DEPARTMENT

Ms. Park presented the following:

WHEREAS, Wayne County Public Health Service was approved to contract with Janine Quinlan, NP, we would like to correct the start date as being effective March 1, 2006 to February 28, 2007 vs. April 1, 2006 to March 31, 2007 due to an in-service program scheduled early March; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to amend this contract subject to the county attorney's approval as to form and content.

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

RESOLUTION NO. 253-06: AUTHORIZATION TO AMEND CONTRACT WITH PROVIDERS FOR RELATED SERVICES FOR PRESCHOOL CHILDREN WITH HANDICAPPING CONDITIONS. (6/8/05)

Ms. Park presented the following:

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

RESOLVED, that nursing services at a rate of LPN \$29/hr. and RN \$35/hr. be added to those services currently being provided by Lifetime Care, Inc. (formerly Genesee Region Home Care Association, Inc.), which include speech-, occupational-, and physical therapies at \$53/hr w/travel and \$40 w/o travel; now, therefore, are it

RESOLVED, that the Board of Supervisors is hereby authorized to amend the current contract to include nursing services for the remaining contract period.

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

RESOLUTION NO. 254-06: AUTHORIZATION TO REGISTER FOR HOME CARE ASSOCIATION (HCA) HOME HEALTH ADVANCE BENEFICIARY NOTICE TELECONFERENCE

Ms. Park presented the following:

WHEREAS, Medicare specific information is available through an HCA teleconference relating to new information regarding the revised Advance Beneficiary Notice (ABN) which home care providers are required to give to clients under Center of Medicare and Medicaid regulations; now, therefore be it

RESOLVED, that the Director of Public Health is hereby authorized to register for the HCA Teleconference scheduled for April 11, 2006 at a cost not to exceed \$25.00.

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

RESOLUTION NO. 255-06: AUTHORIZATION TO AMEND RES. NO. 969-04 AUTHORIZATION TO ADOPT SAFETY PLAN FOR HEALTH SERVICES BUILDING

Ms. Park presented the following:

WHEREAS, previously, resolution 969-04 was adopted by the Wayne County Board of Supervisors to provide for a Safety Plan for the Health Services Building in order to address issues such as fire safety, violence prevention, infection control, behavioral emergencies, etc; and

WHEREAS, at times, staff working in County Agencies located in the Health Services Building on Nye Road receive report from a County staff person, parent, or guardian, that a minor is missing in the building or missing from the building; and

WHEREAS, in the event of such a report being made to any County employee in the building, who in turn would immediately report the situation to any Safety Team Member; and

WHEREAS, such Safety team Member should then over-head page the appropriate code corresponding to the specific emergency event; and

WHEREAS, the Health Services Building Safety Committee has identified the need to establish and add to the existing list of codes a code for this type of emergency; now, therefore, be it

RESOLVED that Resolution No. 969-04 and the document known as the Public Health Building Safety Plan, Section 1 – “Emergency Codes for Health Services Building” shall be revised, subject to final approval by the County Attorney as to form and content, to include a code to be known as Code Pink: Missing Minors.

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

Ms. Park addressed the Board with her concerns and indicated that it was more important than ever for the County to look into securing employment opportunities for Wayne County's next generation.

RESOLUTION NO. 256-06: AUTHORIZATION TO PURCHASE EQUIPMENT AND FURNISHINGS FOR CERTAIN COUNTY DEPARTMENT

Mr. Colvin presented the following:

RESOLVED, that the following Department Head is 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:

E911 Communications

6000344 Purchase and Install Carpeting at SEMO
\$2,313.00

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

RESOLUTION NO. 257-06: DECLARE VEHICLES AND EQUIPMENT SURPLUS AND AUTHORIZE SALE OF VEHICLES AT MUNICIPAL AUCTION

Mr. Colvin presented the following:

RESOLVED, that the following list of vehicles and equipment know longer of use by Wayne County are hereby declared surplus and are to be sold at the annual auction of municipal equipment at the Palmyra Town Highway Department on Saturday, May 20, 2006:

Vehicles

1- 1996 Ford Crown Victoria	VIN # 2FALP71WXTX168888
1- 1995 Pontiac Grand AM	VIN # 1G2NE55D5SC811282
1- 1993 Chevrolet Caprice	VIN # 1G1BL8375PW138625
1- 2000 Ford Crown Victoria	VIN # 2FAFP71W3YX106706
1- 1998 Ford Crown Victoria	VIN # 2FALP71W7WX166730
1- 2000 Ford Crown Victoria	VIN # 2FAFP71W0YX166247
1- 1997 Dodge Ram Van	VIN # 2B5WB35Y8VK545768

Equipment

1 - 1999 Ferris 72" Lawnmower

and be it further

RESOLVED, that the proceeds from the sale of the following highway equipment, declared surplus and to be sold at the auction, shall be deposited into the Machinery Revenue Fund Account DM9999.2655:

5 – 10 foot chip spreader boxes
1 – Bishman truck tire changer – Model 931A
17- Truck tires with rims

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

RESOLUTION NO. 258-06: AUTHORIZATION TO EXECUTE MAINTENANCE AGREEMENT WITH UPSTATE GRAPHIC REPAIRS, INC.

Mr. Colvin presented the following:

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a maintenance agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Upstate Graphic Repairs, Inc. for the purpose of maintaining the Risograph in the Print Shop in efficient operating condition; and be it further

RESOLVED, that this agreement period be from May 1, 2006 to April 30, 2007, at a cost not to exceed \$950.00.

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

RESOLUTION NO. 259-06: AUTHORIZATION TO EXECUTE A MAINTENANCE CONTRACT WITH BIEL'S INFORMATION TECHNOLOGY SYSTEMS FOR HISTORIAN'S OFFICE

Mrs. Collier presented the following:

WHEREAS, the service agreement with Biel's for the Historian's Office microfilm reader/printer, Canon MS400-FP400, expires on May 12, 2006; now, therefore, be it

RESOLVED, that the Chairman of the WC Board of Supervisors is hereby authorized and directed to execute a maintenance agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Biel's for the contract period 5/13/2006 – 5/12/2007 for a cost of \$1,145.00.

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

RESOLUTION NO. 260-06: CONTRACT WITH ROCHESTER GENESEE REGIONAL TRANSPORTATION AUTHORITY (RGRTA) FOR WAYNE AREA TRANSPORTATION SYSTEM (WATS) TO PROVIDE AN ON-DEMAND TRANSPORTATION SERVICE

Mr. Plant presented the following:

WHEREAS, Welfare Reform has been renewed at the Federal level; and

WHEREAS, Wayne County will be required to meet a 50% participation rate or face fiscal penalties as of 10/1/06; and

WHEREAS, the on-demand services provided by WATS has been an integral piece of necessary services to keep participation rates up; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into a contract with RGRTA/WATS to provide on-demand services at a total amount not to exceed \$50,760 for the timeframe 4/1/06-9/30/06, subject to the review and approval of the County Attorney.

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

RESOLUTION NO. 261-06: AUTHORIZE A NEW CONTRACT WITH CATHOLIC CHARITIES FOR EARLY/CRISIS INTERVENTION SERVICES

Mr. Plant presented the following:

WHEREAS, Resolution No. 959-05 authorized several contracts including one with Catholic Family Center, for the provision of Early/Crisis Intervention Services to TANF eligible cases during the period 1/1/06-6/30/06 at a cost not to exceed \$28,000; and

WHEREAS, Catholic Family Center has recently undergone reorganization and their name has changed; and

RESOLVED, that Resolution No. 959-05 as it pertains to this Early/Crisis Intervention Services Contract is rescinded, and a new contract with Catholic Charities of the Diocese of Rochester d/b/a Catholic Charities of Wayne County for the provision of Early/Crisis Intervention Services to TANF eligible cases during the period 1/1/06-6/30/06 at a cost not to exceed \$28,000 is hereby authorized subject to the County Attorney's approval as to form and content.

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

RESOLUTION NO. 262-06: AUTHORIZE A NEW CONTRACT WITH CATHOLIC CHARITIES FOR PREVENTIVE SERVICES

Mr. Plant presented the following:

WHEREAS, Resolution No. 955-05 authorized a number of contracts including one with Catholic Charities of the Diocese of Rochester d/b/a Catholic Family Center, for the provision of Preventive Services to the Department of Social Services during the period 1/1/06-12/31/06 subject to a maximum contract amount of \$270,000; and

WHEREAS, Catholic Charities has recently undergone reorganization and their name has changed; now, therefore, be it

RESOLVED, that Resolution No. 955-05 as it pertains to this preventive contract is rescinded, and a new contract with Catholic Charities of the Diocese of Rochester d/b/a

Catholic Charities of Wayne County for the provision of Preventive Services to the Department of Social Services during the period 1/1/06-12/31/06, is hereby authorized, subject to a maximum contract amount of \$270,000, and the County Attorney's approval as to form and content.

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

RESOLUTION NO. 263-06: AMEND CONTRACT WITH VICTIM RESOURCE CENTER OF THE FINGER LAKES, INC.

Mr. Plant presented the following:

WHEREAS, Resolution No. 484-05 authorized a contract with Victim Resource Center of the Finger Lakes, Inc. for Domestic Violence services at a cost not to exceed \$21,500 for the timeframe of 7/1/05 – 12/31/05; and

WHEREAS, because there is money still available under this contact, we would like to extend the timeframe of this contract until 6/30/06; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors be authorized to sign a contract amendment extending the timeframe of this contract to 6/30/06, at no additional cost; and be it further

RESOLVED, these contracts are to be funded 100% with federal monies through the TANF flexible fund.

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

RESOLUTION NO. 264-06: AUTHORIZATION TO AMEND RESOLUTION #1006-04 FOR FOOD SERVICES MANAGEMENT AT THE WAYNE COUNTY NURSING HOME WITH SODEXHO

Mr. Plant presented the following:

WHEREAS, the County entered into a 3 year agreement with SODEXHO to provide food services to the Wayne County Nursing Home; and

WHEREAS, the County wishes to amend the agreement with SODEXHO to allow changes as to the way costs are reported to allow possible savings to occur in conjunction with SODEXHO assistance;

WHEREAS, County and Contractor entered into a certain Agreement, dated January 1, 2005 ("Agreement"), for the provision of Food Services to the Wayne County Nursing Home at 7376 Route 31 in Lyons, New York 14489;

WHEREAS, the parties now desire to amend the aforesaid Agreement; now therefore be it

RESOLVED, the following amendment is between COUNTY OF WAYNE ("County") and SODEXHO OPERATIONS, LLC, a Delaware limited liability company ("Contractor"):

1. Section 4 of the Agreement shall be deleted in its entirety and replaced with the following:

"SECTION 4. COMPENSATION

Notwithstanding any other provisions set forth in the Contract Documents, the County shall compensate the Contractor for services rendered pursuant to this Agreement in accordance with the following financial arrangements:

A. Contractor shall collect and deposit with County any cash sales from the Food Services operation. Contractor shall invoice County for Food Services Operating Expenses. Operating Expenses shall be defined as all costs, Charges and expenses incurred in connection with Food Services operations including, but not limited to, costs, Charges and expenses for the following (a "Charge" is defined as a fee established by Sodexho for goods and services provided to County):

(i) The invoiced amounts to Contractor of goods, including food, beverages, merchandise, chemicals and supplies [plus a Charge for

procurement services equal to nine tenths percent (.9%) of such invoiced amounts]. The invoiced amount shall be net of any rebates obtained from local vendors, suppliers, or distributors for goods procured specifically for County's account. Prompt payment discounts and any other rebates or allowances obtained from vendors, suppliers, or distribution companies, including those obtained through Contractor's national or regional purchasing arrangements based on Contractor's total purchases, will be retained by Contractor;

- (ii) Other costs, Charges and expenses, including, but not limited to, amortization or depreciation of equipment, any Contract Commitment made pursuant to the terms of this Agreement, expendables, decor, signage, and other items purchased on behalf of the Food Services. In addition, Contractor shall charge County for out-of-pocket travel and related expenses for training of employees assigned to the Food Services operation, including the costs of an on-site trainer temporarily assigned to the Premises, sales, use, and other taxes related to the purchases made for Food Services (other than taxes collected and remitted by Contractor to a taxing authority), and costs of licenses, permits, information systems, software and software maintenance, transportation for jail meals (vehicle cost, gas, repairs), marketing and promotional or proprietary materials, [a Charge for menu customization at \$33.00 per hour], uniforms and linen, flowers, decorations, overnight delivery, if necessary, minor equipment, repair and maintenance of Contractor-supplied equipment and other services used in Food Services.
- (iii) Contractor Food Services fixed Management Team cost (including base payroll, tax and fringe benefits), as follows:

<u>Contract Year</u>	<u>Annual Amount</u>
2006	\$217,836.00
2007	\$226,549.00

The fixed Management Team cost shall be computed at the end of each month [and prorated for any partial month].

- (iv) A fixed Administrative Fee, as follows:

<u>Contract Year</u>	<u>Annual Amount</u>
2006	\$30,900.00
2007	\$31,827.00

The fixed Administrative Fee shall be computed at the end of each month [and prorated for any partial month];

- (v) A "Management Fee" equal to Twenty Thousand Dollars (\$20,000.00) per year in each year of this Agreement. The Management Fee shall be computed at the end of each month [and prorated for any partial month];
- (vi) A Charge for general liability insurance maintained pursuant to this Agreement, as follows:

<u>Contract Year</u>	<u>Annual Amount</u>
2006	\$7,045.00
2007	\$7,193.00

The general liability insurance shall be computed at the end of each month [and prorated for any partial month].

- B. Contractor, at its own expense, conducted an operational evaluation resulting in the elimination of one management position (Food Service Manager) and the modification of job duties for the remaining managers assigned to the Wayne County Dietary Department. Contractor has evaluated the management

reduction and job duty modifications over the course of six months and has concluded that such management initiative has been successful without compromising the quality of the services provided by Contractor. Contractor has made a decision to not fill the vacant position, assuming that Wayne County will not be increasing services to the Dietary Department. In consideration of the foregoing, Contractor shall reduce the fixed Management Team cost set forth in Section A.3 above, by means of a credit to County's monthly invoices, as follows:

- (i) A credit in the amount of Three Thousand One Hundred Thirty-One and 67/100 Dollars (\$3,131.67) per month on invoices issued for services rendered for the months of February 2006 through December 2006; and
- (ii) A credit in the amount of Three Thousand Two Hundred Fifty-Eight and 33/100 Dollars (\$3,258.33) per month on invoices issued for services rendered for the months of January 2007 through December 2007.

If at any time during the 2006 or 2007 contract years the County and Contractor mutually determine that the vacant management position should be reinstated, the foregoing credit shall be eliminated.

C. The total compensation for this agreement shall not exceed Two Million Nine Hundred Thirty Two Thousand Sixty Four and 00/100 Dollars (\$2,932,064). The total compensation payable from the County to the Contractor for the year 2005 shall not exceed Nine Hundred Fifty Three Thousand Six hundred Forty Two and 00/100 Dollars (953,642); the total compensation payable from the County to the Contractor for the year 2006 shall not exceed Nine Hundred Seventy Seven Thousand One Hundred Fifty Six and 00/100 Dollars (\$977,156); the total compensation payable from the County to the Contractor for the year 2007 shall not exceed One Million One Thousand Two Hundred Sixty Six and 00/100 Dollars (\$1,001,266). Any services that the County requests the Contractor to perform that are in addition to those services set forth in the Contract Documents shall be negotiated and agreed to in writing by the parties hereto before the Contractor performs said services.

2. Section 12 is amended to reflect a change in the notification address to Contractor as follows:

"To Contractor: Sodexho Operations, Llc
Attention: Patrick E. Connolly
President, Sodexho Senior Services
86 Hopmeadow Street
Simsbury, Connecticut 06089-9693

3. This Amendment is retroactive to January 1, 2006, and thereafter, unless amended. All other terms and conditions contained in the Agreement shall remain unchanged and in full force and effect, except by necessary implication.

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

RESOLUTION NO. 265-06: AUTHORIZATION TO CONTRACT FOR PHYSICIAN SERVICES AT THE WAYNE COUNTY NURSING HOME

Mr. Plant presented the following:

WHEREAS, Resolution No. 223-06 dated March 21, 2006, authorized a contract with Dr. Nagpaul for the provision of physician services for the residents of Wayne County Nursing Home for the period of April 1, 2006 – June 30, 2006; and

WHEREAS, it is agreed that the timeframe of this contract should be April 1, 2006 – December 31, 2006; now, therefore, be it

RESOLVED, that Resolution No. 223-06 is hereby amended to change the time period of the contract with Dr. Nagpaul to April 1, 2006 through December 31, 2006.

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

RESOLUTION NO. 266-06: AUTHORIZING CONTRACT FOR PHYSICIAN SERVICES AT THE WAYNE COUNTY NURSING HOME

Mr. Plant presented the following:

WHEREAS, there is a need at the Wayne County Nursing Home to contract with a physician for the provision of physician services; therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to enter into a contract with Dr. Tolomeo to provide physician services to residents in-home at the Wayne County Nursing Home for the period 4/1/06 – 12/31/06, subject to the review and approval of the County Attorney.

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

RESOLUTION NO. 267-06: AUTHORIZING CONTRACT FOR FURNISHING NURSING HOME CARE TO BENEFICIARIES OF THE VETERANS SERVICE ADMINISTRATION

Mr. Plant presented the following:

WHEREAS, the contract between the County of Wayne and the Veterans Service Administration for furnishing nursing home care services to beneficiaries of the Veterans Service Administration expires on May 31, 2006; and

WHEREAS, the Wayne County Nursing Home is desirous of renewing said contract for the period of June 1, 2006 - May 31, 2007; now, therefore, be it

RESOLVED, Authorize the Chairman of the Wayne County Board of Supervisors to execute a Contract/Award for Furnishing Nursing Home Services to Beneficiaries of the Veterans Administration at a per diem fee to be negotiated by the Administrator.

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

RESOLUTION NO. 268-06: AUTHORIZATION TO ABOLISH FIVE (5) VACANT CNA POSITIONS AT THE WAYNE COUNTY NURSING HOME

Mr. Plant presented the following:

WHEREAS, there are five (5) full-time vacant Certified Nursing Assistant (CNA) positions at the Wayne County Nursing home; now, therefore, be it

RESOLVED, that five (5) FT, vacant CNA positions are hereby abolished at the Wayne County Nursing Home.

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

RESOLUTION NO. 269-06: AUTHORIZATION TO ABOLISH COMPLIANCE OFFICER POSITION AT THE WAYNE COUNTY NURSING HOME

Mr. Plant presented the following:

WHEREAS, the duties of the Nursing Home Compliance officer can be assumed by other employees currently on staff to provide a cost savings measure at the Wayne County Nursing home; now, therefore, be it

RESOLVED, that the position of Nursing Home Compliance Officer at the Wayne County Nursing Home is hereby abolished, effective September 1, 2006.

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

RESOLUTION NO. 270-06: AUTHORIZE GOAL FOR NURSING HOME AND REHAB

SERVICES AT AN ADDITIONAL \$1,700,000.00

Mr. Plant presented the following:

WHEREAS, that County of Wayne is contracting with Rehab Resources to provide Rehab Services at the Wayne County Nursing Home; and

WHEREAS, as part of that contract, a goal for the Nursing Home must be established in the process; now therefore be it

RESOLVED, that the overall goal will be the Wayne County Nursing Home will generate \$1,700,000.00 more in revenue from September 1, 2006 through September 1, 2007 than in the 12 months prior to September 1, 2006 with the rationale for this goal being as follows:

- Wayne County taxpayers will subsidize approximately \$4,500,000.00 for the current fiscal year;
- The Wayne County Nursing Home will need 12-16 weeks to complete a plan that will start to show revenue increases for the Nursing Home;
- The next full house PRI cycle that will generate higher revenue for the nursing home does not take place until early fall;
- This goal does not take into account rebasing or changes in the NYS reimbursing levels. Since the outcome of rebasing and reimbursement can not be specifically calculated, and is not specifically controlled by nursing home staff, they should remain out of the goal calculation. If the results are favorable than the nursing home financials will be much better than the goal. The goal should be based on those financial changes that can be controlled by the nursing home staff.

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

RESOLUTION NO. 271-06: AUTHORIZE A CONTRACT WITH MUNNS & DOBBINS GROUP TO COMPLETE REBASING DEVELOPMENT AND RATE APPEAL FOR THE WAYNE COUNTY NURSING HOME

Mr. Plant presented the following:

WHEREAS, the Wayne County Nursing completed one step in the rebasing procedure and is desirous of contracting for the remainder of these services including Medicaid Rate Rebasing Development and Medicaid Rebase Rate Appeal; now therefore be it

RESOLVED, that the Chairman of the Board is authorized to enter into an agreement with Munns & Dobbins Group (Chris McCarthy) to provide Medicaid Rate Rebasing Development at a cost not to exceed \$ 16,000.00; and Medicaid Rebased Rate Appeal at a cost not to exceed \$5,000.00; and further

RESOLVED, that all reports be completed in the necessary time in order for the proper decisions and deadlines be made to maximize reimbursement to the new Nursing Home.

OTHERS SUBMITTING QUOTES:

	Rate Rebasing	Rate Appeal
Terry Cotton	\$25,000	\$5,000
Rotenberg Group	\$23,000	\$TO BE QUOTED
HF John Group	\$25,000	\$5,000

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

RESOLUTION NO. 272-06: AUTHORIZING THE IMPLEMENTATION AND FUNDING OF THE FEDERAL-AID AND STATE "MARCHISELLI' PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS

Mr. Lyon presented the following:

WHEREAS, the LeRoy Island Bridge Project has been identified for replacement of the bridge at a estimated cost of \$1,100,000 in which Marchiselli funds will be utilized; and

WHEREAS, the initial phase is the design and engineering of the project; 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 Wayne County, subject to the County Attorney's approval, with Barton & Loguidice, P.C. for the design & Engineering of the LeRoy Island Bridge project at a cost not to exceed \$238,000, and further

RESOLVED, federal Marchiselli funds will be utilized with the local share of the funds for the design and engineering phase be funded from CHIPS, and further

RESOLVED, that the County Treasurer is hereby authorized to amend the 2006 County Budget as follows:

D5112 - ROAD CONSTRUCTION:

Increase .2955 LeRoy Island Road Bridge Project by \$238,000

D9999 – OTHER:

Increase .3511 Consolidated Highway Aid by \$47,600

Increase .4511 Marchiselli Funds by \$190,400

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

RESOLUTION NO. 273-06: ACCEPTING BIDS FOR HIGHWAY CONSTRUCTION AND MAINTENANCE MATERIALS

Mr. Lyon presented the following:

WHEREAS, the Wayne County Superintendent of Highways has duly advertised for bids for various highway construction and maintenance materials for the fiscal year 2006; now, therefore, be it

RESOLVED, that upon the recommendation of the Superintendent of Highways, the bids listed in the attached Bid Summary Booklet dated April 2006, a copy of which has been filed with the Clerk of the Board of Supervisors, are hereby accepted; and be it further

RESOLVED, that any municipal highway department in Wayne County may purchase materials directly from the vendors pursuant to such bids, provided that the municipality shall accept sole responsibility for any payments due the vendor and for audit and inspection of the materials; and be it further

RESOLVED, that any bid not listed in the Bid Summary Booklet is hereby rejected.

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

RESOLUTION NO. 274-06: AUTHORIZATION TO FILL SEASONAL POSITIONS FOR THE HIGHWAY DEPARTMENT

Mr. Lyon 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:

One (1) Engineer Tech, Seasonal - \$13.819

Five (5) Seasonal Motor Equipment Operator #2 - \$12.587 for first seasonal year, \$13.587 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. Jenkins moved the adoption of the resolution. Seconded by Mr. Colvin. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

RESOLUTION NO. 275-06: AUTHORIZING ROAD SIDE MOWING CONTRACT WITH TOWN OF PALMYRA

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 Palmyra for mowing county road sides located in the Town at a rate of \$188.00 per mile for the 2006 season.

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

RESOLUTION NO. 276-06: AUTHORIZATION TO ACCEPT LOW QUOTE FOR EMERGENCY INSTALLATION AND FURNISHING A TANK MONITORING SYSTEM FOR THE HIGHWAY DEPARTMENT

Mr. Lyon presented the following:

WHEREAS, the County Highway fuel system has been cited by NYSDEC as in need of some repairs; now, therefore, be it

RESOLVED, that the County Highway Superintendent is hereby authorized and directed to accept the low quote for the emergency furnishing and installation of a tank monitoring system for inventory control from the Pump Doctor of Eden, New York at a price not to exceed \$16,831.75; and be it further

RESOLVED, that the funds for this process be taken out of the Highway Department operating Budget for 2006.

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

RESOLUTION NO. 277-06: AUTHORIZATION TO INCLUDE CREAGER ISLAND BRIDGE ON THE TRANSPORTATION IMPROVEMENT PROGRAM LIST AND STATE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) LIST

Mr. Lyon presented the following:

WHEREAS, the Creager Island Bridge has been selected to receive Federal assistance through the NYS Department of Transportation (DOT) for construction work; and

WHEREAS, The DOT requires that federally assisted properties be included on the federal Transportation Improvement Program (TIP) list and the Statewide Transportation Improvement Program (STIP), list; now, therefore, be it

RESOLVED, that the Wayne County Highway Department is authorized to work with the NYS DOT to prepare and submit required documentation in order to include the Creager Island Bridge on the TIP and the STIP.

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

RESOLUTION NO. 278-06: AUTHORIZATION TO ADVERTISE FOR BIDS AND AWARD OF PURCHASE CONTRACTS FOR BALLOTS AND VOTING MACHINE SUPPLIES FOR THE BOARD OF ELECTIONS

Mr. Young presented the following:

RESOLVED, that the Clerk of the Board of Supervisors is hereby authorized to advertise for bids on behalf of the Wayne County Board of Elections for purchase of ballots and voting machine supplies, in accordance with specifications prepared by the Board of Elections; and be it further

RESOLVED, that the Commissioners of Elections are hereby authorized and directed to publicly open the bids at the time and place specified in the advertisement for bids, and to award the purchase contracts for such items in accordance with Section 103 of the New York State General Municipal Law; and be it further

RESOLVED, that the Board of Elections shall submit a report of all bids received, contract awards to Committee No. 6 and the Clerk of the Board of Supervisors.

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

RESOLUTION NO. 279-06: AUTHORIZING AGREEMENT WITH NTS DATA SERVICES FOR

BOARD OF ELECTIONS

Mr. Young presented the following:

WHEREAS, a postcard must be sent to each active voter (approximately 54,000) to verify information in regard to voting; and

WHEREAS, NTS Data Services is capable of processing these cards more efficiently, by sorting and bar coding to postal standards, resulting in lower postal expense; and

WHEREAS, cards cannot be sent until the postage check is received by NTS Data Services, the amount for the postage will have to be processed a month earlier to comply with the county payment process; 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 NTS Data Services at a cost for services not to exceed \$3,800 to be expended from Account No. A1450.4421 (Election Expense) plus postage at a cost not to exceed \$12,000 to be expended from Account No. A1450.4166 (Postage Expense); and be it further

RESOLVED, that the expenses for the processing services, approximately totaling \$3,800 are to be charged back to each town accordingly.

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

RESOLUTION NO. 280-06: AUTHORIZATION TO CONTRACT FOR COUNTY CUSTODIAN FOR BOARD OF ELECTIONS

Mr. Young presented the following:

RESOLVED, that the Board of Elections is hereby authorized to contract for a County Custodian to instruct other Custodians on proper setup and repair of voting machines and provide assistance at the time of the Primary Election and the General Election of 2006, including re-canvassing of the voting machines; and be it further

RESOLVED, that the Commissioners of the Board of Elections are hereby authorized to pay a County Custodian \$200.00 per election, plus mileage expenses, to be paid out of Account No. A1450.4421 (Election Expense) at a cost of \$200 plus mileage expenses.

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

RESOLUTION NO. 281-06: AUTHORIZATION TO CONTRACT COUNTY CUSTODIANS FOR BOARD OF ELECTIONS

Mr. Young presented the following:

WHEREAS, voting machine custodian services were previously paid by the towns; and

WHEREAS, the New York State Election Law 2006 Section 3-302 (6) states:

"Voting machine custodians shall be paid for their services an amount fixed by the board of elections, which amount shall, however, be approved by the legislative body of the county and shall be payable by the county".

now, therefore, be it

RESOLVED, that voting machine custodians be paid \$50 (fifty) per person, per machine, per election, held for the county; and be it further

RESOLVED, that each custodian shall be paid \$25 for each necessary training session attended and such payment will be paid from Account No. A1450.4421 (Election Expense).

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

RESOLUTION NO. 282-06: AUTHORIZATION TO CONTRACT ELECTION INSPECTORS FOR THE BOARD OF ELECTIONS

Mr. Young presented the following:

WHEREAS, previously, election inspectors were paid by the towns; and
WHEREAS, New York State Election Law 2006 Section 3-420 (1) states:

"Election inspectors, poll clerks, election coordinators, and qualified voters appointed to act in place of an absent inspector, clerk, or coordinator shall be paid for their services on days of registration and election, by the county containing the election district in which they serve in an amount fixed by the county legislative body."; and

WHEREAS, this section further states that:

"Such inspectors, poll clerks, election coordinators and qualified voters at a general or special village election conducted by the board of elections shall be paid by such village in an amount fixed by the village board of trustees subject to any such limitations."; and

WHEREAS, Section 3-420 (2) states:

"An election inspector or poll clerk who attends a required training session shall be paid not less than \$25 (twenty-five dollars) for each meeting plus, at the option of the county, transportation expenses not to exceed the mileage allowance approved by the county legislative body....."

now, therefore, be it

RESOLVED, that the County establishes the following compensation for election inspectors, poll clerks, and election coordinators who participate at primary and general elections conducted for the county.

Primary election	\$65/day
General election	\$120/day

Inspector Chairperson shall be paid an additional \$10/day.

and be it further

RESOLVED, that those election inspectors, poll clerks, and election coordinators that attend the required training session be paid \$25 for the session and there will be no mileage paid to inspectors who travel out of their towns for schooling or poll duties.

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

RESOLUTION NO. 283-06: AUTHORIZATION TO CHARGE BACK ALL ELECTION EXPENSES TO THE APPROPRIATE TOWNS THAT INCUR ELECTION EXPENSES FOR THE YEAR OF 2006

Mr. Young presented the following:

WHEREAS, the towns were previously responsible for the voting machine costs (storage, maintenance & repair, moving, and preparing for elections), and for the costs of election inspectors and machine custodians; and

WHEREAS, the New York State 2006 Election Law, Section 3-226 (1) now states:

"All voting machines, and appliances and equipment relating to or used in the conduct of elections shall be in the care, custody, and control of the board of elections. Such board shall cause all necessary repairs and maintenance to be made and employ such help as may be necessary in making such repairs and in moving, setting up and caring for all election materials, equipment and appliances, including voting machines."

WHEREAS, Section 3-226 (1) of the New York State Election Law 2006 further states: "and all expenses connected with elections and matters preliminary relating thereto, including compensation of election inspectors and clerks of election, shall be a county charge, except, at the option of the county, all or any part of the type of expenses connected with elections and matters preliminary or relating thereto that were previously incurred by towns and cities, may be apportioned pursuant to this chapter to a city or town."; now, therefore, be it

RESOLVED, that the costs for the storage, maintenance & repair, testing, moving, and for setting up voting machines for elections be *apportioned* (charged back) to the towns based on the number of voting machines used in that town and that the cost of election inspectors and machine custodians be *apportioned* (charged back) to the towns based on the number of them

that served the town.

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

RESOLUTION NO. 284-06: AUTHORIZATION TO INCREASE HOURS FOR PART-TIME CLERK IN VETERANS SERVICES AGENCY THROUGH DECEMBER 31, 2006

Mr. Young presented the following:

WHEREAS, the Veterans Service Agency Director has determined that the need for an additional 13 hours per pay period will be required for the Personnel Clerk PT from April 10, 2006 through December 31, 2006 in order to fulfill the influx of requests for veterans services being received; now, therefore, be it

RESOLVED, that the Personnel Clerk PT in the Veterans Service Agency Office is hereby authorized to work up to 48 hours in a two week period as needed to cover the office function from April 10, 2006 through December 31, 2006; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to make the following change to the 2006 County Budget:

A6510 – VETERANS SERVICES AGENCY:

\$ 3,947.00 to 51069 Personnel Clerk Part Time
\$ 395.00 to 58100 Payments to NYS Retirement
\$ 304.00 to 58200 Payments to Social Security

A1910 – UNALLOCATED INSURANCE:

\$ 4,646.00 from 54300 Insurance

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

RESOLUTION NO. 285-06: AUTHORIZATION TO INCLUDE MAXWELL CREEK ON THE TRANSPORTATION IMPROVEMENT PROGRAM LIST AND STATE TREASPORTATION IMPROVEMENT PROGRAM (STIP) LIST

Mr. Lyon presented the following:

WHEREAS, Maxwell Creek has been selected to receive Federal assistance through the NYS Department of Transportation (DOT) for construction work; and

WHEREAS, The DOT requires that federally assisted properties be included on the federal Transportation Improvement Program (TIP) list and the Statewide Transportation Improvement Program (STIP) list; now, therefore, be it

RESOLVED, that the Wayne County Highway Department is authorized to work with the NYS DOT to prepare and submit required documentation in order to include Maxwell Creek on the TIP and the STIP.

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

RESOLUTION NO. 286-06: AUTHORIZATION TO INCLUDE THE TOWN AND COUNTY SIGNAGE PROGRAM ON THE TRANSPORTATION IMPROVEMENT PROGRAM LIST AND STATE TREASPORTATION IMPROVEMENT PROGRAM (STIP) LIST

Mr. Lyon presented the following:

WHEREAS, the Town and County Signage Program has been selected to receive Federal assistance through the NYS Department of Transportation (DOT) for review and replacement of Town & County signage; and

WHEREAS, The DOT requires that federally assisted properties be included on the federal Transportation Improvement Program (TIP) list and the Statewide Transportation Improvement Program (STIP) list; now, therefore, be it

RESOLVED, that the Wayne County Highway Department is authorized to work with the

NYS DOT to prepare and submit required documentation in order to include the Town and County Signage Program on the TIP and the STIP.

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

RESOLUTION NO. 287-06: AUTHORIZATION TO EXECUTE MAINTENANCE AGREEMENT WITH IMPERIAL DOOR CONTROLS, INC.

Mr. Fabino 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 Imperial Door Controls, Inc for the maintenance of three door openers at the County Health Services Facility in the amount of \$450.00 for the contract period of 4/1/06-3/31/07.

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

RESOLUTION NO. 288-06: AUTHORIZATION TO SEEK REQUESTS FOR PROPOSALS FOR ROOF REPAIRS TO COB #0006 (OLD NURSING HOME FACILITY)

Mr. Fabino presented the following:

WHEREAS, the west wing roof of County Office Building #0006 (Old Nursing Home Facility) is in need of repairs, particularly at the perimeter flashing; now, therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized and directed to prepare and distribute a Request for Proposals from Roofing Contractors to make needed repairs to COB#0006; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds shall review proposals and present a recommendation to the standing committee and the Board of Supervisors for approval.

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

RESOLUTION NO. 289-06: AUTHORIZATION TO FILL PT CLEANER POSITIONS FOR THE BUILDINGS AND GROUNDS DEPARTMENT ON AN AS NEEDED BASIS

Mr. Fabino presented the following:

WHEREAS, the creation of PT Cleaner positions was created to reduce cleaning costs; and

WHEREAS, these positions are important in the scheduling of maintaining multiple County Facilities be it hereby; now, therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to fill these positions on an as needed basis when vacancies arise.

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

RESOLUTION NO. 290-06: AUTHORIZATION TO REQUEST AN EXTENSION OF TIME TO PURCHASE EQUIPMENT FOR THE WAYNE COUNTY BUILDINGS AND GROUNDS DEPARTMENT

Mr. Fabino presented the following:

WHEREAS, the Superintendent of Buildings and Grounds is requesting an extension of time to purchase the air conditioners as defined in the Wayne County Buildings and Grounds 2006 budget addendum; now therefore, be it

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized to purchase said equipment and as defined in said 2006 Budget when needed in the budget year 2006.

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

RESOLUTION NO. 291-06: AUTHORIZATION TO APPROVE CONTRACT DOCUMENTS & SPECIFICATIONS WITH BARTON & LOGUIDICE

Mr. Fabino presented the following:

WHEREAS, Barton and Loguidice, P.C. has provided a proposal for an Engineering review of the Rt. 31 Campus Sanitary Waste Flow, with an anticipated goal of assisting Wayne County in the reduction of costs as well as minimizing health risks to staff; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to enter into an agreement with Barton and Loguidice P.C. subject to approval by the County Attorney as to form and content, for services outlined in their proposal dated March 16th, 2006, for an amount not to exceed \$9,200.00.

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

RESOLUTION NO. 292-06: AUTHORIZATION TO EXECUTE AN EXTENSION ON THE AGREEMENT WITH NYS DEFENDERS ASSOCIATION FOR MAINTENANCE AND SOFTWARE SUPPORT FOR THE PUBLIC DEFENDER'S OFFICE

Mr. DeSanto presented the following:

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute an extension on the agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with New York State Defenders Association for maintenance and software support for the Public Defender's Office for the agreement period of March 6, 2006 to March 6, 2007, at a cost not to exceed \$1,500.

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

RESOLUTION NO. 293-06: AUTHORIZATION TO AMEND RESOLUTION NO. 790-06 TO FILL VACANCY FOR FULL-TIME ASSISTANT DISTRICT ATTORNEY AND SET SALARY

Mr. DeSanto presented the following:

RESOLVED, that the District Attorney is hereby authorized to fill the vacancy of Full-time Assistant District Attorney by promotion at an annual salary of \$66,327, effective 1/1/06 and any vacant positions created by filling this position at an annual salary of \$50,000.

Mrs. Collier 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. 294-06: 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): \$776.85

now, therefore, be it

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

\$777.00 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. Plant moved the adoption of the resolution. Seconded by Mr. Colvin. Upon roll call, adopted.

RESOLUTION NO. 295-06: 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. 75116-00-432641
Assessed to: Douglas & Lela Fuller
Refund: \$649.80

TOWN OF WOLCOTT

2006 Tax Roll
Account No.: 76118-00-700657
Assessed to: Town of Wolcott
Refund: \$269.52

2005 Tax Roll
Account No.: 76118-00-700657
Assessed To: Town of Wolcott
Refund: \$265.55

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 Mr. Colvin. Upon roll call, adopted.

RESOLUTION NO. 296-06: CANCELLATION OF TAXES

Mr. Hammond presented the following:

RESOLVED, pursuant to the recommendation of the Director of Real property Tax Services, the following taxes levied on the 2006 tax roll and owned by the County of Wayne are hereby cancelled, and the County Treasurer is authorized and directed to charge back the taxes as provided by law:

TOWN OF LYONS - 2006

Tax Map# 71111-18-441213 Assessed to: County of Wayne
Amount of Cancelled Tax: \$49.67

TOWN OF MACEDON - 2006

Tax Map# 60112-00-958195 Assessed to: County of Wayne
Amount of Cancelled Tax: \$0.07

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

RESOLUTION NO. 297-06: AUTHORIZING PUBLIC AUCTION SALE OF REAL PROPERTY ACQUIRED BY THE COUNTY FOR DELINQUENT TAXES

Mr. Hammond presented the following:

WHEREAS, pursuant to the provisions of Article Eleven (11) of the Real Property Tax Law of the State of New York pertaining to the enforcement of the collection of delinquent taxes, the County of Wayne has or will acquire title to the real property as shown on Appendix A (attached hereto and incorporated herein by reference) and is entitled to acquire title by Court Order to the properties from 2004 listed on Appendix A; and

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

RESOLVED, in accordance with Article Eleven (11) of the Real Property Tax Law;

FIRST: The County Treasurer is hereby authorized and directed to convey title to the County of Wayne for the properties listed on Appendix A which are not redeemed for the year 2004 as of the close of business on May 12, 2006.

SECOND: The County Attorney is hereby authorized and directed to take appropriate action regarding removal of property from the auction list after the filing of the Summary Judgment of the Petition of Foreclosure and up to the time of the auction.

THIRD: The Director of Real Property Tax Services is hereby authorized, empowered and directed to conduct a public auction sale of the properties listed on Appendix A at the County Courthouse, 26 Church Street, Lyons, New York, on May 17, 2006, commencing at 6:00 p.m.

FOURTH: Each parcel of property shall be offered and sold at the public auction sale subject to the following terms and conditions of sale:

1. The property offered for sale has been acquired by the County of Wayne (hereinafter referred to as the "**County**") by Court Order pursuant to the provisions of Title 3 of Article 11 of the Real Property Tax Law of the State of New York.
2. All potential Bidders must show acceptable identification for issuance of a bid number.
3. All Bidders/Buyers must register for this auction and hold a buyer's number.
4. Former owners will not be allowed to bid on their properties.
5. By acknowledging and executing these Terms & Conditions, the purchaser certifies that he/she is not representing the former owner(s) of the property against whom Wayne County Foreclosed and has no intent to defraud Wayne County of the unpaid taxes, assessment, penalties, and charges which have been levied against the property. The purchaser agrees that neither he/she nor his/her assigns shall convey, the property to the former owner(s) against whom Wayne County foreclosed within 24 months subsequent to the auction date. If such conveyance occurs, the purchaser understands that he/she may be found to have committed fraud, and/or intent to defraud, and will be liable for any deficiency between the purchase price at auction and such sums as may be owed to Wayne County as related to the foreclosure on the property and consents to immediate judgment by Wayne County for said amounts.
6. No person or organization can bid on properties at the auction if they, or a corporation or company they are affiliated with, owe property taxes (current or prior year) to Wayne County. All tax liabilities must be paid prior to the auction in order to bid at the auction. Failure to comply with this provision will be grounds for default and forfeiture of any deposits paid.
7. The Auctioneer retains the right to reject any bid that is not within current bidding increments or that is not an appreciable advancement over the preceding bid.
8. The property will be conveyed by the County to the purchaser by quit-claim deed, containing a description of the property as it appeared on the tax roll for the year upon which the County acquired title or as corrected up to date of deed. The deed

will be recorded by the County upon payment in full of the purchase price and closing fees/cost. Possession of property is forbidden until the deed is recorded with the Wayne County Clerk conveying title to the purchaser. Title vests at the recording of the deed. It is agreed between the County and the purchaser that delivery and acceptance of the deed occurs upon recording of the deed.

9. The County will not furnish an abstract of title or an instrument survey map.
10. The County does not make any representations or warranties, expressed or implied, (a) concerning the quality or the condition of the title to the property, or the validity or marketability of such title; the ownership of any improvements on the property; the condition of the property and any improvements thereon or its fitness for any use; or the accuracy of the property description on the tax roll or in the notice of sale or any other advertisement of sale furnished by the County; or (b) that the property or any improvements thereon presently comply with building or zoning codes, or with any state or local laws or regulations. Any information concerning the property furnished by the County or any of its officers, employees, or agents shall not be deemed to include any such representations or warranties. Any promotional tools such as photographic slides, tax maps, written or verbal descriptions, etc. are for informational purposes only.
11. The purchaser shall accept the property and any improvements thereon in "as is" condition with the understanding that the County makes no representation as to ownership or responsibility for any personal property located on the real property.
12. Evictions, if necessary, are solely the responsibility of the successful bidder after closing and recording of the deed.
13. The sale of the property is made subject to (a) village, town, state and federal claims for taxes, liens or other encumbrances, and (b) all easements or rights-of-way which were in existence at the time of the levy of the tax the non-payment of which resulted in the tax deed to the County.
14. The County will convey the property free and clear of County tax liens accrued on or before January 1, 2006.
15. The purchaser will pay all of the following taxes and charges, including all interest and penalties if applicable and if they have not been paid:
 - 2006 Village Tax; current water, sewer or other special district charges that have not been included in tax bills
 - 2006 School Tax
 - 2007 Town Tax & County Tax which may include relieved village or school taxes
16. Purchasers will be responsible for all upcoming taxes including 2006/2007 Village and 2006/2007 School and 2007 Town & County taxes. In order to avoid future delinquent charges, the new owner should immediately advise all tax collectors of the new ownership, and the address where future tax bills are to be mailed.
17. All bids are subject to approval and acceptance by the Wayne County Board of Supervisors. The County reserves the right to sell to the second highest bidder if Purchaser defaults.
18. The Board of Supervisors reserves the right to accept or reject any or all bids, or to withdraw any parcel from the sale at any time prior to delivery of the deed to the purchaser.
19. In the event that a sale is cancelled by Court Order or judgment or by the Wayne County Board of Supervisors, the successful bidder shall be entitled only to a refund of the purchase money. Purchaser shall not be entitled to special or consequential damages, nor attorney fees, nor reimbursement for any expenses incurred as a result of ownership or improvements of the property, nor for taxes paid during the period of ownership.
20. The purchaser shall pay full payment immediately at "Knockdown" (when the Auctioneer says "sold") for any properties sold in the amount of

\$1,000 or less.

21. Regarding any properties sold for more than \$1,000, the amount of \$1,000 plus 10% of the amount over \$1,000 must be paid immediately at "Knockdown".
22. The purchaser's bid will be submitted to the Board of Supervisors on June 20, 2006.

IT SHALL BE THE

PURCHASER'S RESPONSIBILITY TO CONTACT THE COUNTY REAL PROPERTY TAX SERVICE AGENCY (946-5916) ON OR AFTER JUNE 21, 2006 TO DETERMINE WHETHER THE BID WAS ACCEPTED OR REJECTED BY THE BOARD OF SUPERVISORS.

23. The purchaser must pay the balance of the purchase price (paid in cash or by certified check, bank check or money order payable to the Wayne County Treasurer) together with the necessary recording taxes and fees (paid in cash or check payable to the Wayne County Clerk) to the County Treasurer not later than the close of business on July 7, 2006. Upon receipt of such payments, the deed will be recorded in the County Clerk's Office and mailed to the purchaser upon completion of the recording process. **IF THE PURCHASER FAILS TO MAKE SUCH PAYMENTS ON OR BEFORE JULY 7, 2006, THE SALE SHALL BE DEEMED CANCELLED AND THE COUNTY SHALL NOT BE OBLIGATED TO CONVEY THE PROPERTY TO THE PURCHASER, AND THE PURCHASER'S DEPOSIT SHALL BE RETAINED BY THE COUNTY AS LIQUIDATED DAMAGES.**
24. The purchaser shall execute a Memorandum of Purchase at the time and place of the auction sale agreeing to purchase the property subject to the terms and conditions of sale prescribed by the County.

and be it further

RESOLVED, that the Director of Real Property Tax Services is hereby authorized and directed to advertise the auction sale in such manner as he may deem suitable for obtaining the greatest public participation in the sale and to charge the advertising cost to Account No. A1362.4402 (Tax Advertising and Expense – Advertising).

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

RESOLUTION NO. 298-06: AUTHORIZATION TO PAY 2006 INSURANCE PREMIUMS FOR COMMERCIAL LIABILITY COVERAGES TO HAYLOR, FREYER AND COON, INC.

Mr. Hammond presented the following:

WHEREAS, Wayne County has received Three (3) Invoices from Haylor, Freyer and Coon, Inc. for the following renewal premiums due for the County of Wayne for the period of March 1, 2006 – March 1, 2007:

1. Invoice #318349-Renewal for Commercial Umbrella Excess for Excess Liability in the amount of \$78,127.50.
2. Invoice #318620-Renewal for Commercial Inland Marine in the amount of \$1,650.00
3. Invoice #318621-Renewal for Commercial Property Policy including Property & Boiler Coverage in the amount of \$49,522.99
4. Invoice #318623-Renewal for New York Auto Fee-Commercial Package in the amount of \$97,379.70

now, therefore, be it

RESOLVED, that the Clerk of the Board is hereby authorized to make payments to Haylor, Freyer & Coon, Inc. in the amounts of Seventy Eight Thousand One Hundred Twenty Seven and 50/100 Dollars (\$78,127.50) for the Commercial Umbrella Excess Liability Coverage, One Thousand Six Hundred Fifty and 00/100 Dollars (\$1,650) for Commercial Inland Marine Coverage, and Forty Nine Thousand Five Hundred Twenty Two and 99/100 Dollars (\$49,522.99) for Commercial Property & Boiler Coverage from Account A1910.4300 upon adoption of this resolution.

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

RESOLUTION NO. 299-06: AUTHORIZATION TO PAY 2006 INSURANCE PLACEMENT FEE FOR CLAIM MANAGEMENT RENEWAL TO HAYLOR, FREYER AND COON, INC.

Mr. Hammond presented the following:

WHEREAS, Wayne County has received an Invoice from Haylor, Freyer and Coon, Inc. in the amount of Fourteen Thousand Four Hundred Eighty Four and 41/100 Dollars (\$14,484.41) for the 2006 Insurance Placement Fee, Claim Management Fee & Risk Transfer Fee to the County of Wayne for the period of April 1, 2006 – April 1, 2007; 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 Fourteen Thousand Four Hundred Eighty Four and 41/100 Dollars (\$14,484.41) for the 2006 Insurance Placement Fee, Claim Management Fee & Risk Transfer Fee to the County of Wayne for the period of April 1, 2006 – April 1, 2007; from Account A1910.4353 upon adoption of this resolution.

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

RESOLUTION NO: 300-06: AUTHORIZATION TO PAY 2006 HEALTHCARE PROFESSIONAL INSURANCE PREMIUM PAYMENT TO HAYLOR, FREYER AND COON, INC.

Mr. Hammond presented the following:

WHEREAS, Wayne County has received Two (2) Invoices from Haylor, Freyer and Coon, Inc. for the following renewal premiums due for the County of Wayne for the period of March 1, 2006 through March 1, 2007:

1. Invoice #318341- Renewal for the Healthcare Professional Liability in the amount of Seventy One Thousand Six Hundred Fifty Seven and 00/100 Dollars (\$71,657.00)
2. Invoice #318335- Renewal for the Healthcare General Liability in the amount of Four Thousand One Hundred Seventy Three and 00/100 Dollars (\$4,173.00)

now, therefore, be it

RESOLVED, that the Clerk of the Board is authorized and directed to make payments to Haylor, Freyer & Coon, Inc. in the amount of Seventy One Thousand Six Hundred Fifty Seven and 00/100 Dollars (\$71,657.00) for the renewal of the Healthcare Professional Liability coverage and Four Thousand One Hundred Seventy Three and 00/100 Dollars (\$4,173.00) for the renewal of the Healthcare General Liability coverage from Account A1910.4353 upon adoption of this resolution.

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

RESOLUTION NO. 301-06: 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:

WC Sheriff

1 - Deputy Sheriff, PT (due to the resignation) effective April 29, 2006

Commissioner of Social Services (for Nursing Home)

9 – CNA, PT and Sub (Certified Nursing Assistants) positions (due to vacancy)
1 – Cleaner, PT, Sub position (due to vacancy)

Director of Public Health

1 – Account Clerk position (due to resignation) effective May 1, 2006

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

RESOLUTION NO. 302-06: AUTHORIZATION TO UPDATE COMPUTER AND CELLULAR TECHNOLOGY OF THE CHAIRMAN OF THE BOARD

Mr. Jenkins presented the following:

WHEREAS, the Chairman of the Board is looking toward technology to consolidate and hopefully conserve resources by having up to date instruments to perform his duties, and

WHEREAS, the use of a Palm Treo 700W palm pilot would eliminate the need for a cell phone and palm pilot by the combination of both the Treo provides, now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to purchase a Palm 700W for \$399.00; a case for \$20.00; 12v power supply \$25.00 and a monthly data plan of \$44.99 and 400 minute phone plan of \$39.99; and further

RESOLVED, that the cell phone and plan provided by the County to the Chairman be eliminated; and further

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

A1040 – Clerk of the Board:
\$ 444.00 to .52200 (Office Equipment)

A1010 – Legislative Board
\$ 444.00 from .54600 (Miscellaneous)

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

RESOLUTION NO. 303-06: AUTHORIZATION TO AMEND RES. NO. 261-97 TO MEET FEDERAL MINIMUM WAGE STANDARDS FOR PART TIME POSITIONS

Mr. Jenkins presented the following:

RESOLVED, that the following hourly rates are hereby modified effective January 1, 2006 for all new hires on or after that date:

	Hire	Mid 1	Mid 2	Job
Cleaner, PT, Sub	6.750	7.173	7.673	8.173
Food Services Helper, PT, Sub	7.170	7.670	8.170	8.670

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

RESOLUTION NO. 304-06: 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 \$ 3,089,018.57
2. CD Fund \$ 1,090.08
3. D Fund \$ 189,758.34
4. DM Fund \$ 72,933.93
5. E Fund \$ 264,917.56
6. H Fund \$ 12,403.25

7. MS Fund	\$	0.00
8. S Fund	\$	0.00
Warrant Total	\$	3,630,121.73

and be it further

RESOLVED, that the following utilities totaling \$ 157,798.99, processed pursuant to Resolution No. 176-78, are hereby ratified:

1. A Fund	\$	108,550.55
2. CD Fund	\$	1,509.68
3. DM Fund	\$	5,140.95
4. E Fund	\$	42,597.81
Utility Total	\$	157,798.99

and be it further

RESOLVED, that the checks processed for the Department of Social Services for Special Assessments, totaling \$ 295.90, are hereby ratified.

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

Mrs. Bender moved, seconded by Mr. LeRoy, that one resolution be allowed on the floor under Other Business. Upon roll call, carried.

RESOLUTION NO. 305-06: AUTHORIZATION TO ENTER INTO INDEMNIFICATION AGREEMENT BETWEEN A WAYNE COUNTY AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR SPECIAL HAULING PERMITS, DIVISIBLE LOAD OVERWEIGHT PERMITS, AND/OR RESTRICTED VEHICLE PERMITS

Mr. Lyon presented the following:

WHEREAS, that pursuant to the provisions of Part 154, Title 17, Official Compilation of Codes, Rules and Regulations of the State of New York, by and between the People of the State of New York, all municipal subdivisions thereof except the party of the second part, and the Commissioner of the New York State Department of Transportation, the New York State Thruway Authority, the State Bridge Authority and their officials, officers, agents and employees, parties of the first part, acting through and between the Commissioner of Transportation or his designee ("DOT") and the County of Wayne, party of the second part; and

WHEREAS, the County of Wayne intends to apply for and receive permits pursuant to subpart 154-1 and/or subpart 154-2 of Title 17 of the official compilation of codes, rules and regulations of the State of New York, from the Department of Transportation for the operation of certain of its vehicles; and

WHEREAS, the Commissioner of Transportation has determined that this agreement will protect the interests of the People of the State of New York to the same extent as protective liability insurance coverage; now, therefore, be it

RESOLVED, that the County of Wayne, in lieu of obtaining protective liability insurance coverage with respect to such permits, hereby agrees to assume the risk of, and to release, indemnify, protect, defend and save harmless the parties of the first part and/or all employees of the party of the first part from and against any and all claims, demands, actions, settlements, awards and judgments for such loss, injury, death or damage and any cost or expense in connection therewith caused by or arising out of the issuance and/or use of such permits; and be it further

RESOLVED, that the party of the second part hereby agrees to indemnify and save harmless the parties of the first part and/or all employees of the parties of the first part from all liability of claims, demands and costs for or arising out of the issuance and/or use of such permits or the acceptance of such permits, whether caused by negligence of the part of the second part or by anyone acting by, through or for the party of the second part or caused by negligence, including omissions and supervisory acts, of the parties of the first part; and be it further

RESOLVED, that any payments required by the foregoing will be guaranteed by the full faith and credit of the party of the second part, or its districts, as applicable, and will be paid out of current budgeted funds, or if insufficient, from its liability and casualty reserve fund or from the proceeds of bonds which current laws permit the party of the second part to issue to pay claims against it.

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

EXECUTIVE SESSION: At 9:17 p.m., Mr. LeRoy moved, seconded by Mrs. Bender, that the Board go into Executive Session to discuss proposed litigation. Upon roll call, carried.

ADJOURNMENT:

The next scheduled meeting of the Board is Tuesday, May, 16, 2006 at 9:00 a.m.

The Board adjourned at 9:38 pm. Carried.

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