

**Legislature Meeting
January 23, 2024**

Chairman Lynne Johnson called the meeting to order at 4:30 p.m., followed by the Pledge to the Flag. Veterans Services Director Nancy Traxler then gave the invocation.

Clerk Lisa Stenshorn called the roll. All Legislators were present in the Chambers: Allport, Draper, Eick, Fitzak, Johnson, Miller and Morgan.

The Clerk presented the following communications:

Request for Use of Courthouse Square from the Rotary Club of Albion to host the annual Strawberry Festival on the Courthouse lawn June 7 & 8, 2024. This will again be a 2 day event with the need for the use of electric, the Courthouse steps and to have a banner displayed from May 22 through June 8, 2024. **Board Approved.**

The County DMV Office received an email through the customer support office of the State DMV. Customer by (Mark Dickinson) (12/20/2023 02:32 PM) I am a Driver's Education Instructor at Iroquois Job Corps in Medina, NY. I take students to get their NYS DMV Learners Permit at the Orleans County DMV office in Albion, NY. The DMV staff is always very helpful and courteous to all our Iroquois Job Corps Students. Excellent Customer service by all DMV staff.

Chairman Johnson asked for any open discussion as it related to the resolutions. There being none offered, Chairman Johnson began with the presentation of resolutions.

RESOLUTION NO. 19-124

APPROVING ANNUAL SERVICE AGREEMENT BETWEEN SHERIFF'S JAIL AND TEK84

Resolved, that this Legislature approves a one (1) year service agreement with Tek84, 13495 Gregg St, Poway, CA 92064 to service the Tek84 Intercept Whole Body Scanner at the County Jail, for term effective January 1, 2024 through December 31, 2024 in the amount of \$8,995.00 to be paid from the Sheriff's Jail budget 01.3150.0447-Misc. Equipment Contracts.

Moved, Draper; second, Fitzak.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 20-124

AUTHORIZING PURCHASE OF EQUIPMENT AND AUTHORIZING COUNTY
TREASURER TO TRANSFER FUNDS TO SHERIFF'S JAIL BUDGET

WHEREAS, the Sheriff's Jail received local grants in 2023 in the amount of \$18,995.00 from Bi2 technology and \$13,238.00 from IC Solutions and the County Treasurer has reserved these funds for the Sheriff; now be it

RESOLVED, that this Legislature approves the purchase of thirty two (32) multi-protocol digital and analog portable radios from Licciardi Radio Services Inc, 992 Carter Street, Rochester,

NY 14621, in the amount of \$10,218.69, NYS OGS Contract No: PT69525 Group No: 77200 to be paid from Sheriff-Jail 01.3150.0250-other equipment; and be it

FURTHER RESOLVED, this Legislature authorizes the County Treasurer to set up both local grant funds from Building and Equipment Reserve as follows:

RESERVE:

Building and Equipment	\$32,233.00
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APPROPRIATION:

01.3150.0250	Sheriff – Jail Other Equipment	\$32,233.00
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Moved, Draper; second, Fitzak.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 21-124

AUTHORIZING ACCEPTANCE OF DONATIONS TO THE SHERIFF’S OFFICE AND AUTHORIZING COUNTY TREASURER TO SET UP MONEY IN THE SHERIFF’S BUDGET

RESOLVED, that this Legislature accepts generous donations received from community members to assist the Sheriff’s Office budget; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new money in the Sheriff’s Office budget as follows:

REVENUE:

01.0001.2705	Gifts & Donations	\$70.00
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APPROPRIATION:

01.3510.0418	Other Contractual- Animal Control	\$20.00
01.3110.0499	K9 – Sheriff	\$50.00

Moved, Draper; second, Fitzak.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 22-124

AUTHORIZING FILLING OF VACANCIES IN THE SHERIFF’S OFFICE

RESOLVED, that due to a retirement in Sheriff’s Corrections Division, this Legislature does hereby authorize the filling of a full-time Correction Officer position (3150.50) in the Sheriff’s Jail at Grade 5 of the OCSEA salary schedule, effective January 31, 2024; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the creation of one temporary full-time Correction Officers position (3150.01*) in the Sheriff’s Corrections division at Grade 5 of the OCSEA salary schedule, effective January 31, 2024; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of the newly created temporary full-time Correction Officers position (3150.01*), effective January 31, 2024; and be it

FURTHER RESOLVED, this Legislature does hereby authorize the filling of vacant temporary full-time Correction Officers position (3150.49*), effective January 31, 2024; and be it

FURTHER RESOLVED, that due to a resignation in the Sheriff's Communications Division, this Legislature does hereby authorize the filling of a part-time Public Safety Dispatcher position (3020.17) in the Sheriff's Communication Division at \$20.82 per hour, effective January 31, 2024.

Moved, Draper; second, Fitzak.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 23-124

SETTING DATE OF PUBLIC HEARING FOR THE EMERGENCY MANAGEMENT OFFICE TO CREATE A TECHNICAL RESCUE TEAM

WHEREAS, there is a need throughout Orleans County for firefighters to train and work together at a team level due to specialized nature and training involved with performing highly technical rescues, such as rope rescues, grain entrapment and water rescues; now be

RESOLVED, that a public hearing shall be held on the proposed creation of a Technical Rescue Team by this Legislature on the 20th day of February 2024 at 4:25 p.m. at the Legislative Chambers, 14016 Route 31 West, 2nd Floor, Albion, New York.

Moved, Draper; second, Fitzak.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 24-124

AUTHORIZING COUNTY TREASURER TO SET UP FUNDS FROM EMERGENCY MANAGEMENT SICG FY22 TARGETED GRANT FOR PAYMENT TO RADIO TECHNOLOGIES

WHEREAS, Resolution No. 594-1223 authorized the agreement with Radio Technologies, 1707 Woodard Rd., Webster, NY 14580, to provide project management and technical resources for Phase II of the radio communications system project; and

WHEREAS, resolution No. 133-323 accepted FY22 State Interoperable "Targeted" Grant (SICG FY22 Targeted) funds from New York State Department of Homeland Security and Emergency Services (DHSES); now be it

RESOLVED, that this Legislature authorizes the County Treasurer to set up funds from Emergency Management SICG FY22 Targeted Grant Funds to make payment to Radio Technologies, for the 2024 payment as follows:

REVENUE:

01.3640.4309.0750 ST HOMELAND SECURITY- \$133,334.00
SICG FY22 Targeted

APPROPRIATION:

01.3640.0486.0750 SPECIAL GRANT- \$133,334.00
SICG FY22 TARGETED

Moved, Draper; second,

RESOLUTION NO. 25-124

APPROVING AGREEMENT BETWEEN PUBLIC DEFENDER AND INDIGENT LEGAL SERVICES

RESOLVED, that this Legislature approves the following Agreement between the Orleans County Public Defender and NYS Office of Indigent Legal Services, A.E. Smith Building, 11th Floor, 80 South Swan Street, Albany, New York 12210:

GRANT #14-Contract #C140034 for the continuation of pay parity, parole revocation attorney stipend, LABB, contract, and computer support services for the Public Defender's Office, effective for a term from January 1, 2024 through December 31, 2026.

Moved, Draper; second, Fitzak.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 26-124

APPROVING AGREEMENT WITH ORLEANS COUNTY DISTRICT ATTORNEY'S OFFICE AND THE U.S. DEPARTMENT OF JUSTICE

RESOLVED, that this Legislature approves the Federal Equitable Sharing Agreement between the District Attorney's Office and the U.S. Department of Justice effective January 1, 2024 through December 31, 2024 allowing receipt of seized funds from Federal forfeitures.

Moved, Draper; second, Fitzak.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 27-124

APPROVING PROBATION DIRECTOR TO ACCEPT MONIES AWARDED FROM THE NYS DIVISION OF PROBATION AND CORRECTIONAL ALTERNATIVES FOR CERTIFIED PRETRIAL SERVICES

RESOLVED, that this Legislature approves the Orleans County Probation Director to accept an award in the amount of \$74,116.00 effective April 1, 2023 to March 31, 2024 from the NYS Division of Probation and Correctional Alternatives which will automatically be disbursed to the county in one payment to offset the costs associated with the Pretrial Services. Orleans

County Probation has been certified by the Office of Court Administration as the Certified Pretrial Agency for Orleans County.

Moved, Draper; second, Fitzak.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 28-124

AUTHORIZING PURCHASES WITHIN THE INFORMATION TECHNOLOGY SERVICES DEPARTMENT

RESOLVED, that this Legislature authorizes the purchase of network switches from SHI International Corp., 300 Davidson Avenue, Somerset, NJ, 08873, at a cost of \$54,583.76, to be paid from the Information Technology Services budget 01.1680.0270-Capital Projects; and be it

FURTHER RESOLVED, that this Legislature authorizes the purchase of office software licensing from LA Dell Marketing LP, One Dell Way, Round Rock, TX 78680, at a cost of \$86,011.20, to be paid from Information Technology Services budget 01.1680.0270-Capital Projects; and be it

FURTHER RESOLVED, that this Legislature authorizes subscription payment to LA Dell Marketing LP, One Dell Way, Round Rock, TX 78680 in the amount of \$86,011.20, to be paid annually in 2025 and 2026 from Information Technology Services budget 01.1680.0225-Subscriptions.

Moved, Fitzak; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 29-124

AUTHORIZING COMPUTERS TO BE ADDED TO THE DELL MASTER LEASE

WHEREAS, this Legislature approved a Dell Master Lease # 810-6457612 by Resolution No. 72-212 between Orleans County and Dell Financial Services, PO Box 6547, Carol Stream, IL 60197-6547; now be it

RESOLVED, that the Orleans County Legislature authorizes 13 desktop computers and 64 laptop computer w/dock to be added to the Dell Master Lease as # 810-6457612-XXX throughout the County effective March 2, 2024 through March 1, 2028, four (4) annual payments not to exceed \$44,573.63 with a \$1 buyout option at the end; and be it

FURTHER RESOLVED, that the Chairman is authorized to sign the lease agreement with Dell Financial Services subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Fitzak; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 30-124

APPROVING THE EMPLOYEE ASSISTANCE PROGRAM BUDGET AND PLAN FOR 2024

WHEREAS, the Employee Assistance Program (EAP) Committee has been authorized to operate an Employee Assistance Program (EAP) and other related programs for the County; and

WHEREAS, the Legislature requires the EAP Committee to submit for approval a plan of operations, together with a proposed budget for the year 2024; now be it

RESOLVED, that this Legislature authorizes the Orleans County Employee Assistance Program budget and plan of operations for the year 2024 as follows:

EMPLOYEE ASSISTANCE PROGRAM BUDGET AND PROGRAM PLAN

Program Revenues:

Commissions/Deposits	\$3,200.00
Raffles	\$4,830.00
Total	\$8,030.00

Program Expenditures:

Employee of the Month/Year Program	\$830.00
Summer Picnic	\$2,500.00
Holiday Luncheon	\$2,700.00
Miscellaneous	\$2,000.00
Total	\$8,030.00

Moved, Fitzak; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 31-124

RESCINDING RESOLUTION NO. 129-323 AND AMENDING RESOLUTION NO. 640-1223

WHEREAS, Resolution No. 129-323 authorized salaries for part-time Sheriff's Office employees and Resolution No. 640-1223 authorized salary schedules for management, certain part time and unclassified employees; now be it

RESOLVED, that this Legislature rescinds Resolution No. 129-323; and be it

FURTHER RESOLVED, this Legislature amends Resolution No. 640-1223 to set pay of part-time Crew Leaders (Sheriff) to be a rate of \$21.00; and be it

FURTHER RESOLVED, that this Legislature amends Resolution No. 640-1223 to set pay of Election Inspectors to be a rate of \$130.00 for a full day of early voting or a half day at a general, primary or special election and \$260.00 for a full day at a general, primary or special election effective January 24, 2023; and be it

FURTHER RESOLVED, that this Legislature amends Resolution No. 640-1223 to set pay of Election Inspectors training to be paid at \$65.00 for the required annual election training effective January 24, 2023; and be it

FURTHER RESOLVED that any Election Inspector costs for the general, primary, special elections and mandatory training will be charged to the Orleans County Towns.

Moved, Fitzak; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 32-124

AUTHORIZING THE SUM OF \$113,540 PER ANNUM, TO BE DETERMINED TO BE RECEIVED BY THE COUNTY CLERK AS RECORDING OFFICER FOR THE COUNTY OF ORLEANS FOR THE COLLECTION OF MORTGAGE TAX MONIES

WHEREAS, in accordance with Article 11, Section 250 through 267 of the Tax Law, the County Clerk is charged with the collection and administration of mortgage tax monies; and

WHEREAS, Section 262 of the Tax Law authorizes reimbursement of the costs associated with the collection and administration of mortgage tax monies; and

WHEREAS, the State Tax Commission did, by resolution duly adopted, determine that such mortgage tax expense be approved at the amount certified to the State Tax Commissioner by the county Legislature, provided it is reasonable and necessary allowance for such expenses; and

WHEREAS, the necessary expenses for the purposes of Article 11, Section 262 of the Real Property Tax Law have risen over the allowance set in Resolution No. 421-1210 adopted December 8, 2010; now be it

RESOLVED, by the Orleans County Legislature that the sum of \$113,540 per annum be, and the same hereby is, determined as is necessary, reasonable and proper allowance to be received by the Recording Officer of the County of Orleans for the purpose of administering mortgage taxes in the office and shall deduct \$9,461.67 per month from mortgage tax monies collected and be reported to the Orleans County Treasurer; and be it

FURTHER RESOLVED, that the Clerk of the Legislature is hereby directed to forward two certified copies of this resolution to the Orleans County Clerk for transmittal to the State Tax Commission for approval.

Moved, Fitzak; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 33-124

AUTHORIZING CREATION AND FILLING OF A POSITION IN THE COUNTY CLERK/DEPARTMENT OF MOTOR VEHICLES

RESOLVED; that this Legislature does hereby authorize the creation of a permanent full time Motor Vehicle Application Examiner position in the Department of Motor Vehicles at Grade 10 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created, vacant position, effective February 2, 2024.

Moved, Fitzak; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 34-124

APPROVING ANNUAL SOFTWARE LICENSE AND SUPPORT AGREEMENT BETWEEN THE COUNTY TREASURER AND EDMUNDS GOVTECH COMPANY

RESOLVED, that this Legislature approves the annual applications software license and support agreement between the County Treasurer and Edmunds GovTech Company, 301 Tilton Road, Northfield, NJ 08225-1267 covering maintenance and support of all modules relating to the Treasurer's Office, Personnel Office and Budget Officer at a cost not to exceed \$10,405.50; effective January 1, 2024 through December 31, 2024, to be paid from the respective budgets, as applicable.

Moved, Fitzak; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 35-124

AUTHORIZING SETTING UP RESERVE MONIES FOR THE ENERGY PERFORMANCE LEASE PAYMENT

WHEREAS, the energy savings realized in 2023 on the Energy Performance contract were reserved at year end to be used towards the repayment of the Energy Performance lease borrowing; and

WHEREAS, the County Treasurer has made the Lease payment and now needs to set up the funds to balance the Debt service fund for this payment; now be it

RESOLVED, that the County Treasurer is authorized to set up the funds as follows:

FROM:

Reserve for Debt	\$45,000.00
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TO:

01.9901.0556	Transfer to Debt Service	\$45,000.00
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Moved, Fitzak; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 36-124

AUTHORIZING FILLING A POSITION IN THE TREASURER'S OFFICE

RESOLVED, that this Legislature does hereby authorize the filling a vacant full-time Principal Clerk position (1325.04) in the Treasurer's Office at Grade 13 of the CSEA Salary Schedule, effective February 2, 2024; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of a subsequent vacancy should the vacant full- time Principal Clerk position (1325.04) be filled from within the Treasurer's Office, effective February 2, 2024.

Moved, Fitzak; second, Draper.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 37-124

APPROVING THE OFFICIAL UNDERTAKING OF PUBLIC EMPLOYEES FIDELITY BLANKET BOND FOR GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL

WHEREAS, the County of Orleans has appropriated the sum of \$7,691.25 as its share of the year 2024 operating funds of the Genesee Finger Lakes Regional Planning Council, and

WHEREAS, pursuant to Section 119-00 of the General Municipal Law of the State of New York, the County is authorized to provide for the payment of such appropriations to an officer of the agency designated by the agency to receive such monies provided that such officer shall have executed an official undertaking approved by the governing body of the County; and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has designated Richard Sutherland, Director of the Council, as the officer to receive payments of such monies; and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has secured a Public Employees Fidelity (Blanket) Bond, issued by National Grange Mutual Insurance Company, providing faithful performance blanket bond coverage for officers and employees of the Council in the amount of \$500,000.00; now be it

RESOLVED, that the Orleans County Legislature hereby approves such bond as the official undertaking required pursuant to Section 119-00 of the General Municipal Law; and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward a certified copy of this resolution to the G/FLRPC office and the Orleans County Planner.

Moved, Eick; second, Morgan.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 38-124

SETTING PUBLIC HEARING DATE ON LOCAL LAW NO. 2-INTRO OF 2023 AMENDING LOCAL LAW NO. 3 OF THE YEAR 2021 TO EXTEND THE PILOT YOUTH DEER HUNTING PROGRAM

WHEREAS, there has been duly presented and introduced to this Legislature, a proposed local law entitled “A LOCAL LAW AMENDING LOCAL LAW NO. 3 OF THE YEAR 2021 TO EXTEND THE PILOT YOUTH DEER HUNTING PROGRAM”; and

WHEREAS, no local law shall be adopted until a public hearing thereon has been held by the Orleans County Legislature upon at least five days’ notice; now be it

RESOLVED, that a public hearing shall be held on the said proposed local law by this Legislature on the 20th day of February 2024 at 4:20 p.m. at the Orleans County Legislature, 14016 Route 31 West, Albion, New York.

Moved, Eick; second, Morgan.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 39-124

APPROVING APPOINTMENTS TO THE FISH AND WILDLIFE MANAGEMENT BOARD

RESOLVED, that this Legislature confirms the Chairman of the Legislature’s appointment of the following Sportsman and Legislative representatives to the Fish and Wildlife Management Act Board:

<u>Name:</u>	<u>Representing:</u>	<u>Term:</u>
Edward F. Morgan	Legislature	1/1/2024-12/31/2025
William H. Eick	Legislature (alternate)	1/1/2024-12/31/2025

Moved, Eick; second, Morgan.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 40-124

RESOLUTION APPROVING APPOINTMENT TO THE COUNTY PLANNING BOARD

RESOLVED, that this Legislature approves the following appointments to the Orleans County Planning Board:

<u>Name & Mailing Address</u>	<u>Represents</u>	<u>Expiration Date</u>
David Knapp 3888 Bennetts Corners Road Holley, New York 14470	At-Large East	12-31-2024
Russell Bosch 4690 Bennetts Corners Road Holley, New York 14470	Town of Clarendon	12-31-2026

William Fox 5673 Upper Holley Road Holley, New York 14470	Town of Clarendon (Alternate)	12-31-2026
Scott Lang 3419 Hulberton Road Holley, New York 14470	Town of Murray	12-31-2025
Kirk Myhill 10835 West Shelby Road Medina, New York 14103	Town of Shelby	12-31-2026
Daniel Wolfe 11179 Dunlap Road Medina, New York 14103	Town of Shelby (Alternate)	12-31-2026

Moved, Eick; second, Morgan.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 41-124

APPROVING AGREEMENT WITH SOIL AND WATER CONSERVATION DISTRICT

RESOLVED, that this Legislature authorizes the agreement between the County of Orleans and the Orleans County Soil and Water Conservation District, Albion, New York, for the provision of services by “Soil and Water” for the calendar year 2024, at a cost of \$97,500.00, to be paid in quarterly payments of \$24,375.00.

Moved, Eick; second, Morgan.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 42-124

GRANTING COUNTY EXEMPTION ON VILLAGE SEWER AND WATER SYSTEMS

RESOLVED, that all real property owned by the Villages of Holley, Albion, Medina and Lyndonville located outside their respective corporate limits and used as sewage disposal plants or systems, including necessary connections and appurtenances or used as a water plant, pumping station, water treatment plant or reservoir, including necessary connections and appurtenances, shall be wholly exempt from County taxation for the year 2024 in accordance with the provisions of section 406 of the Real Property Tax Law.

Moved, Eick; second, Morgan.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 43-124

APPROVING APPOINTMENT TO THE ORLEANS COUNTY BOARD OF ETHICS

WHEREAS, this Legislature adopted Resolution No. 171-408 enacting Local Law 3 of 2008, Providing for a County Board of Ethics consisting of five members with staggered terms; now be it

RESOLVED, that this Legislature re-appoints the following member to the County Board of Ethics with the following term expiration:

Name:	Term:
Renee Rowley	1/1/2024-12/31/2026

Moved, Eick; second, Morgan.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 44-124

AUTHORIZING OUT OF STATE TRAVEL FOR LEGISLATORS

RESOLVED, that this Legislature does hereby authorize three Legislators to travel out of state to attend the NACo Legislative Conference in Washington DC, necessary expenses to be paid from the Legislative budget 01.1010.0463 – Travel – other than Mileage.

Moved, Eick; second, Morgan.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 45-124

AUTHORIZING EXECUTION OF GROUND LEASE AGREEMENTS WITH THE TOWN OF CARLTON FOR CONSTRUCTION OF COMMUNICATIONS FACILITIES

WHEREAS, the County is in need of a site in the central and northern portion of the County for the construction of communications facilities each consisting of an antenna structure and such buildings as are necessary to house telecommunications equipment as a part of the County radio communications system; and

WHEREAS, the Town of Carlton has agreed to lease a site consisting of approximately 2,500 square feet together with a necessary right of way and utility easement situate on land owned the municipality; now, therefore be it

RESOLVED, that the Chairman is authorized to execute Ground Lease Agreements with the Town of Carlton, having an initial term of five (5) years with option to extend the term for four (4) additional consecutive five (5) year periods at no County cost in order to provide sites for telecommunications facilities as a part of the County radio communications system.

Moved, Eick; second, Morgan.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 46-124

AUTHORIZING CHANGE ORDER TO THE RTO WIRELESS AGREEMENT

WHEREAS, Resolution No. 352-721 awarded the bid for wireless internet services for the entire County of Orleans with RTO Wireless in the amount of \$3,608,435.00, and

WHEREAS, Resolution No. 457-922 authorized the execution of the agreement for Capital Project Broadband Phase 2 for wireless internet service for the towns of Albion, Gaines and Shelby as well as the villages of Albion, Holley and Medina in the amount of \$1,738,890.00, and

WHEREAS, the New York State Office of Community Renewal (the “OCR”) through the Coronavirus Aid, Relief, and Economic Securities Act (“CARES”) has accepted a modification to our grant in the amount of \$533,000.00 for micro towers for the Village of Albion and Medina and the Town of Gaines; now be it

RESOLVED, that this Legislature authorizes the Chairman to execute a change order agreement with RTO Wireless to their agreement for Phase 2 to construct micro towers in the amount not to exceed \$533,000.00 subject to the review of the County Attorney and the Chief Administrative Officer.

Moved, Eick; second, Morgan.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 47-124

CALLING FOR A PUBLIC HEARING REGARDING THE COMMUNITY DEVELOPMENT BLOCK GRANT

WHEREAS, Orleans County received Community Development Block (CDBG) funding from the New York State Office of Community Renewal (Project No. 857CVPF23-21) to implement the Orleans County Broadband (the “Program”); and

WHEREAS, the Orleans County Legislature is required to hold a public hearing to discuss the implementation of the Program and to provide information about the progress of the ongoing CDBG Program and to receive comments related to the effectiveness of administration of the CDBG Program; now be it

RESOLVED, that this Legislature hereby calls for a public hearing to obtain the views of citizens, public agencies, and other interested parties regarding the implementation of the CDBG program, such public hearing to be held at 4:25 p.m. on March 26, 2024 at the Legislative Chambers located at 14016 Route 31 West, Albion New York 14411.

Moved, Eick; second, Morgan.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 48-124

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT BROADBAND

RESOLVED, that this Legislature authorizes the following payments to be made from account H8797.0250, Phase 1, Capital Project – Broadband:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$ 760.36	Barre Stone	Inv #17661 Foundation stone Carlton tower site
\$ 2,605.25	Barre Stone	Inv #17725 Foundation stone Carlton tower site

FURTHER RESOLVED, that this Legislature authorizes the following payment to be made from account H8797.0251, Phase II, Capital Project – Broadband:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$ 6,500.00	RTO	Inv # 20240116-CPE equipment install Medina
\$254,752.00	RTO	Inv # 20240118-P2 Gaines tower activation

Moved, Eick; second, Morgan.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 49-124

APPROVING AGREEMENT WITH ORLEANS COUNTY CORNELL COOPERATIVE EXTENSION

RESOLVED, that this Legislature approves the agreement between the County of Orleans and the Orleans County Cornell Cooperative Extension, which authorizes the payment of the sum of \$240,000.00 for the calendar year 2024, to Cornell Cooperative Extension, such payments to be made by the County in quarterly payments of \$60,000.00.

Moved, Morgan; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 50-124

APPROVING AGREEMENTS BETWEEN THE ORLEANS COUNTY DEPARTMENT OF PUBLIC WORKS AND WEST FIRE SYSTEMS

RESOLVED, that this Legislature approves an agreement with West Fire Systems, Inc., 53 Pixley Industrial Parkway, Rochester, New York 14624 to install one (1) Fire Alarm Cellular Communicator at the County Office Building at a one-time fee for parts and installation of \$508.00; and be it

FURTHER RESOLVED, that this Legislature does hereby approve a one-year agreement with West Fire Systems Inc. for Annual Fire Alarm Cell Monitoring at the County Office Building at a cost of \$498.00, Contract Period: January 1, 2024 through December 31, 2024.

Moved, Morgan; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 51-124

APPROVING RENTAL AGREEMENT BETWEEN DEPARTMENT OF PUBLIC WORKS AND SUNBELT RENTALS

RESOLVED, that this Legislature does hereby approve a rental agreement between the Department of Public Works and Sunbelt Rentals, 7999 Call Parkway Building 1, Suite 100, Batavia, New York 14020-4119 to rent a portable temporary heater for the Public Safety Building Rooftop located at 13925 Route 31 West, Albion, NY for four months for a cost not to exceed \$11,000.00; to be paid out of the Buildings and Grounds Division budget 01.1620.0403, effective as soon as county gives notice to proceed.

Moved, Morgan; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 52-124

APPROVING AGREEMENT WITH DEPARTMENT OF PUBLIC WORKS AND HOUSEMAN REFRIGERATION HEATING AND COOLING

RESOLVED, that this Legislature does hereby approve an agreement with the Department of Public Works and Houseman Refrigeration Heating and Cooling, P.O. Box 213, Oakfield, NY14125, to provide labor and materials for an emergency repair to install a new furnace at Central Hall at a cost not to exceed \$7,000.00; to be paid out of the Buildings and Grounds Division budget 01.1620.0403-Maintenance Project Account; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute agreement subject to review and approval of the County Attorney and Chief Administrative Officer.

Moved, Morgan; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 53-124

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE

WHEREAS, a Project for the Angling Road over Johnson Creek Bridge Replacement, Contract #D040721, P.I.N. 4OR0.06, BIN: 3318830 in the Town of Yates (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Orleans desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of \$388,461.00 for Angling Road over Johnson Creek Bridge Replacement; and

NOW, THEREFORE, the Orleans County Legislative Board, duly convened does hereby

RESOLVED, that the Orleans County Legislative Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Orleans County Legislative Board hereby authorizes the County of Orleans to pay in the first instance 100% of the federal and non-federal share of the cost of \$1,942,303.00 work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$1,942,303.00 is hereby appropriated from the County of Orleans and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the County of Orleans shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYS Department of Transportation thereof; and it is further

RESOLVED, that the Chairman of the Legislative Board of the County of Orleans be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Orleans with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and be it

FURTHER RESOLVED, that this Agreement is Supplemental 1 adding the Construction, Construction Inspection and Construction Support for a total cost of \$1,942,303.00; Federal Share of \$1,553,842.00; State Marchiselli Funding of \$291,346.00 and County Cost \$97,115.00; effective September 2, 2022 through September 2, 2023. Resolution shall take effect immediately.

Moved, Morgan; second, Eick.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 54-124

AWARDING AND APPROVING AN AGREEMENT BETWEEN THE DEPARTMENT OF PUBLIC WORKS AND J. BOGNAR CONSTRUCTION LLC

WHEREAS, the Orleans County Department of Public Works sought bids for the Construction of County Line Bridge over Jeddo Creek located in Orleans County in the Town of Ridgeway on January 10, 2024 at 1:30 p.m.; now be it

RESOLVED, this Legislature awards and accepts the lowest bid submitted by J. Bognar Construction, LLC, P.O. Box 4, Sardinia, New York 14134 for the County Line Bridge Replacement Project at a bid cost of \$678,013.96. Project is 80% reimbursable through Federal

Funds, 15% Marchiselli Funds and 5% local funds; to be paid out of the Road Fund Capital Project Account 03.5120.0470.2288; and be it

FURTHER RESOLVED, agreement is effective as soon as County gives notice to proceed; and that the Chairman is authorized to execute agreement subject to review and approval of the County Attorney and Chief Administrative Officer.

Moved, Morgan; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 55-124

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT INFRASTRUCTURE PROJECTS ACCOUNT

FURTHER RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.251, Capital Project – Infrastructure Project – Culvert Improvements:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$13,335.34	Erdman Anthony	South Holley Road Culvert – Eng. Serv.
\$ 8,749.12	Erdman Anthony	South Holley Road Culvert – Eng. Serv.

Moved, Morgan; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 56-124

APPOINTING MEMBERS TO THE GENESEE TRANSPORTATION COUNCIL

RESOLVED, that the following members be appointed to the Genesee Transportation Council for two-year terms effective January 1, 2024 through December 31, 2025:

Genesee Transportation Council Board

Lynne Johnson	Legislature
John Papponetti	Alternate

Genesee Transportation Council Planning Committee

John Papponetti	Orleans County
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Moved, Morgan; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 57-124

AUTHORIZING FILLING A POSITION IN THE DEPARTMENT OF PUBLIC WORKS

RESOLVED, that due to a resignation, this Legislature does hereby authorize the filling of a vacant permanent full-time Custodial Worker Position (1620.06) in the Department of Public Works at Grade 4 of the CSEA Salary Schedule; effective February 2, 2024.

Moved, Morgan; second, Eick.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 58-124

**APPROVING AGREEMENTS BETWEEN MENTAL HEALTH DEPARTMENT AND
VARIOUS PROVIDERS**

RESOLVED, that this Legislature approve the following Agreements for the Mental Health Department for the 2024 calendar year

EFPR Group LLP, 280 Kenneth Drive, Rochester, NY 14623, providing 2022 Consolidated Fiscal Report compliance review/audit. Contracted amount is not to exceed \$6,750.00; County cost is \$473.00.

Mental Health Association of Genesee and Orleans Counties, 25 Liberty Street, Batavia, NY 14020, providing Mental Health support services and Drop-In Center. Contracted amount is not to exceed \$96,721.00; County cost is \$0.

Hillside Children's Center, 70 Jewett Parkway, Buffalo, New York 14214 providing a program of family resiliency as a community support service for individuals with mental and emotional problems who are living in the community at a cost of \$92,640.00; County cost is \$0.

Hillside Children's Center, 70 Jewett Parkway, Buffalo, New York 14214 providing customized services to children with mental and emotional problems who are living in the community via the use of ICM wraparound funds at a maximum cost of \$17,000.00; County cost is \$0.

Spectrum Health & Human Services, 227 Thorn Avenue, P.O. Box 631, Orchard Park, NY 14127, providing Mobile Mental Health Crisis Assessment and Outreach in Orleans County at a cost of \$70,153.00; County cost is \$0.

Moved, Allport; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 59-124

**AUTHORIZE THE ACCEPTANCE OF FUNDS FOR THE YEAR 2023 THAT WAS
AWARDED TO THE ORLEANS COUNTY LGU FROM OASAS, AS A RESULT OF THE
OPIOID SETTLEMENTS**

WHEREAS, the Local Governing Unit (LGU) provided the Community Services Board and the Orleans County Legislature with notice of these received funds. The LGU distributed a Request of Proposals across agencies and programs within Orleans County to include but not limited to governmental agencies, and non-profit agencies to utilize the funds from the settlement to be compliant with the Approved Uses of funds such as treatment, prevention, and other strategies that may be categorized as restricted or unrestricted use; and

WHEREAS, the LGU reviewed the proposals and was supported by the Community Services Board to make recommendations to the proposals of awardees and awardee amounts; and

WHEREAS, the LGU presented the recommendations to the Community Services Board in October 2023, and the Community Services voted unanimously to approve the LGU's recommendations for the use of these funds, to include the awardees and the awarded amounts; and

WHEREAS, as a result the following agencies and providers entered into Memorandum of Understanding Agreements, between the Orleans County Mental Health Department for the purpose of the awarded funding from the LGU OASAS Abatement Funding for year 2023; now be it

RESOLVED, that this Legislature approves an agreement between Orleans County Public Health Department. 14016 Route 31, Albion, NY 14411 Total amount of awarded funding \$6,296.21. County cost is \$0; and be it

FURTHER RESOLVED, this Legislature authorizes the County Treasurer to set up funds as follows:

REVENUE:

01.4310.3148	Opioid	\$6,296.21
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APPROPRIATION:

01.4310.0432	Misc. Contract / Agreements	\$6,296.21
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and be it,

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the Public Health budget to accept funds from Mental Health as follows:

REVENUE:

01.4010.1606	Other Local Award	\$6,296.21
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APPROPRIATION:

01.4010.0402	Laboratory	\$2,125.00
01.4010.0418	Miscellaneous	\$1,000.00
01.4010.0452	Personal Services Contracts	\$3,171.21

Moved, Allport; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 60-124

AUTHORIZING COUNTY TREASURER TO SET UP NEW MONEY IN THE MENTAL HEALTH BUDGET AND VETERANS SERVICES BUDGET

RESOLVED, that the County Treasurer is authorized to set up new monies in the Mental Health Department budget accepting funds as a pass through to the Veterans Services Agency for the Dwyer Peer to Peer Program as follows:

REVENUE:

01.4310.1625	Miscellaneous Revenue	\$11,358.50
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APPROPRIATION:

01.4310.0418	Other Contractual	\$11,358.50
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and be it,

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the Veterans Services Budget to accept the Dwyer Peer to Peer Program monies received by the Orleans County Mental Health Department as follows:

REVENUE:

01.6510.3711	Dwyer – Peer to Peer Program	\$11,358.50
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APPROPRIATION:

01.6510.0486	Special Grants	\$11,358.50
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Moved, Allport; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 61-124

AUTHORIZING FILLING POSITIONS IN THE MENTAL HEALTH DEPARTMENT

RESOLVED, that due to a retirement, this Legislature does hereby authorize the filling of a vacant full time Clinic Therapist position (4310.07) in the Mental Health Department at Grade 25 of CSEA salary schedule, effective February 2, 2024.

Moved, Allport; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 62-124

AUTHORIZING OUT OF STATE TRAVEL FOR HEALTH DEPARTMENT EMPLOYEES

RESOLVED, that this Legislature does hereby authorize out of state travel for one (1) Public Health employee to attend a NACCHO Board Meeting/PH Advocacy Day on Capitol Hill in Washington, DC. Costs covered by NACCHO/Article 6 State Aid. No county cost; and be it

FURTHER RESOLVED, that this Legislative does hereby authorize out of state travel for one (1) Public Health employee to attend the 2024 National Forum on Overdose Fatality Review in Atlanta, GA. Cost covered by PH Infrastructure Grant/Article 6 State Aid. No county cost.

Moved, Allport; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 63-124

APPROVING AGREEMENTS WITH THE DEPARTMENT OF SOCIAL SERVICES AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve the following agreements between the Orleans County Department of Social Services and the following agencies:

LabCorp Corporation, Burlington, NC for the provision of conducting blood tests to determine paternity for Child Support Unit, to be effective January 1, 2024 through December 31, 2026.

Orleans County Job Development Agency, Albion, NY for the provision of assisting select Public Assistance clients in applying for SSI; to be effective January 1, 2024 through December 31, 2024 at a cost of \$2,500.00. County cost is dependent upon program for which the client is eligible.

Allied Universal a New York Corporation located at 229 West 36th Street, 12th floor, New York, NY 10018 a for the provision of armed security services for the County Office Building; to be effective January 1, 2024 through December 31, 2024 at a cost of \$40.00 per hour. County cost is \$18.40 per hour.

Gustavus Adolphus C&FS Jamestown, NY for the provision of residential foster care services; to be effective January 1, 2024 through December 31, 2024 at per diem rates as established by the State, not to exceed \$802,000.00. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

Gateway-Longview, Buffalo, NY for the provision of residential foster care services; to be effective January 1, 2024 through December 31, 2024 at per diem rates established by the State, not to exceed \$802,000.00. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

William George Agency, for the provision of residential foster care services including Raise the Age; to be effective January 1, 2024 through December 31, 2024, at per diem rates as established by the State, not to exceed \$802,000.00. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

Moved, Miller; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 64-124

AUTHORIZING FILLING A POSITION IN THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, that as the result of a resignation, this Legislature does hereby authorize the filling of a full-time Social Welfare Examiner position (6010.1702) in the Department of Social Services at Grade 13 of the CSEA Salary Schedule, effective February 2, 2024.

Moved, Miller; second, Allport.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 65-124

AUTHORIZING AN AGREEMENT BETWEEN THE OFFICE FOR THE AGING AND BLOOMING HEALTH, INC.

WHEREAS, the purpose of this program is a unique digital platform in that it will help enhance, extend, and better coordinate services that aging services providers are already delivering in their communities. The New York State Office for the Aging is thrilled to work with a select group of offices for the aging including Orleans to utilize this powerful technology; now be it

RESOLVED, that the Orleans County Office for the Aging will work with Blooming Health Inc., 501 W 123rd Street, Apt 5D, New York, NY 10027 from February 1, 2024 to March 31, 2025 or funding runs out through the State Office for the Aging. Office for the Aging will participate in this pilot program at no county cost.

Moved, Miller; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 66-124

AUTHORIZING FILLING A POSITION IN THE OFFICE FOR THE AGING

RESOLVED, that due to a resignation, this Legislature does hereby authorize the filling of a vacant full time Housekeeper Aide position (6772.21) in the Office for the Aging, at Grade 4 of the CSEA Salary Schedule, effective February 2, 2024.

Moved, Miller; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 67-124

APPROVING AGREEMENT BETWEEN COUNTY OF ORLEANS AND COMMUNITY ACTION OF ORLEANS & GENESEE FOR 2024 LEADERSHIP ORLEANS PROGRAM

RESOLVED, that this Legislature approves the agreement between the County of Orleans and Community Action of Orleans & Genesee, 409 East State Street, Albion, NY 14411 to provide services for an Orleans County leadership development program (Leadership Orleans). Leadership Orleans is a year-long education program focused on building leadership skills while exposing participants to the necessary knowledge, experiences and people that make a community work. This contract will encompass program development and implementation to ensure a successful 2024 Leadership Orleans program with a projected class size of 28, subject to County Attorney approval; effective January 1, 2024 through December 31, 2024 at a cost of \$16,000.00 to be paid from Undistributed Expense budget 01.1910.0418 – Other Contractual.

Moved, Miller; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 68-124

AUTHORIZING PAYMENT OF CLAIMS FOR FEBRUARY AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Department of Public Works, Special Grant Fund (Job Development Agency) and account S1710 of the Self-Insurance Fund will be audited by this Legislature, and claims for recurring Utility, Community College bills and County Credit Card charges will be audited by this Legislature; be it

RESOLVED, that this Legislature authorizes payment of said claims against the following finds and that the Clerk of the Legislature, Commissioner of the Department of Public Works, Director of Job Development Agency and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for February 13, 2024 and February 27, 2024:

<u>Fund/Department:</u>	<u>Amount:</u>
General	
Road Fund	
Road Machinery Fund	
Special Grant Fund	
Self Insurance	

Moved, Allport; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

Chairman Johnson asked Treasurer Kimberly DeFrank for her Treasurer report. Treasurer DeFrank stated cash flow ended in good shape for 2023. The office is busy collecting State Aid Claims expenses and revenues that are outstanding for last year. Since we are on an accrual accounting bases, our books will stay open for at least another month. We will be transitioning to a new payroll and tax collection system this year. I expect our office will be unusually active this year.

Chairman Johnson asked for any new or unfinished business. There being none offered, Legislator Morgan made a motion to adjourn the meeting, seconded by Legislator Allport. The meeting was adjourned at 4:51 p.m.