



Zoom

Dial: 1 646 558 8656

Meeting ID: 853 3646 4419

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PUBLIC HEARING

4:25 p.m. CDBG Grant Application-Gabriel Barron, IDA VP of Development
Freeze Dry / Thrive

LEGISLATURE MEETING - AGENDA

January 24, 2023 4:30 p.m.

Call to Order

Pledge to the Flag and Invocation lead by Orleans County Veteran

Roll Call

Presentation of Communications

Proclamation: National Human Trafficking Prevention Month-DSS

Swearing in of Orleans County Deputies

Treasurer's Report

Open Discussion – Legislators/Public Comment on Resolutions

Presentation of Resolutions:

1. Authorizing the Sheriff's Office to Add 5 Sim Cards to the Verizon Account (Draper)
2. Authorizing Updating Civil Office Fee Schedule for the Orleans County Sheriff's Office by Zip Code (Draper)
3. Authorizing Sheriff's Office to Apply for and Accept Grant Monies and Authorizing the County Treasurer to Set Up New Money (Draper)
4. Authorizing Acceptance of Donations to the Sheriff's Office and Authorizing County Treasurer to Set Up Money in the Sheriff's Budget (Draper)
5. Authorizing the Sale of Outdated Handguns and Authorizing the County Treasurer to Set Up New Money in the Sheriff's Budget (Draper)
6. Authorize the Release of Funds from the Opioid Settlement to County Departments and Agreements with Various Agencies and Authorizing the County Treasurer to Set Up and Decrease Funds (Draper)
7. Approving Agreement between Public Defender and Indigent Legal Services (Draper)
8. Approving a Memorandum of Agreement between Public Defender and Legal Aid Bureau of Buffalo, Inc. (Draper)
9. Authorizing County Treasurer to Set Up Funds from the Miscellaneous Reserve to Pay Legal Aid Bureau of Buffalo for 2021 Invoices (Draper)
10. Approving Agreement with Orleans County District Attorney's Office and the U.S. Department Of Justice (Draper)
11. Approving Probation Director to Accept Monies from the Orleans County Youth Bureau Resource Allocation Grant (Draper)

12. Authorizing Probation Director to Accept Monies from the New York State Division of Criminal Justice Services (Draper)
13. Authorizing Out of State Travel for Probation Director (Draper)
14. Approving Agreement between Mental Health Department and Various Agencies (Allport)
15. Amending Resolution No. 588-1222 between Mental Health and the County of Niagara (Allport)
16. Authorizing County Treasurer to Set Up New Money in the Mental Health Budget (Allport)
17. Authorizing County Treasurer to Set Up New Money in the Mental Health Budget and Veterans Services Budget (Allport)
18. Approving Agreements between the Health Department and Various Agencies (Allport)
19. Acceptance of Performance Incentive Award from the New York State Department of Health and Authorizing the County Treasurer to Set Up New Monies in the Public Health Department Budget (Allport)
20. Extension of Grant with Acceptance of Additional Funding and Authorizing the County Treasurer to Set Up New Money (Allport)
21. Authorizing Payment from Public Health Department Budget (Allport)
22. Authorizing Out of State Travel for Health Department Employees (Allport)
23. Approving Contract Agreement between the Orleans County Board of Elections and Dominion Voting Systems Corporation (Allport)
24. Approving Agreement between the Board of Elections and Phoenix Graphics, Inc. (Allport)
25. Approving Agreement between Orleans County Department of Public Works and Spiderman Pest Control Services (Eick)
26. Approving Emergency Repair between the Department of Public Works and Trane U.S. Inc. (Eick)
27. Approving Agreement between Department of Public Works and Overhead Door Company (Eick)
28. Approving Agreement Extension between the Department of Public Works and Labella Associates, P.C.
29. Authorizing Repair Service from the Department of Public Works Budget (Eick)
30. Authorizing Payments from Capital Project Infrastructure Projects Account (Eick)
31. Authorizing Payments from Capital Project Lake Ontario REDI Account (Eick)
32. Authorizing Out of State Travel for Department of Public Works Employee (Eick)
33. Authorizing Creating and Filling of Position in the Department of Public Works (Eick)
34. Approving Agreement with Orleans County Cornell Cooperative Extension (Morgan)
35. Amending Resolution No. 502-1022 and Authorizing County Treasurer to Set Up Funds (Eick)
36. Approving the Official Undertaking of Public Employees Fidelity Blanket Bond for Genesee/Finger Lakes Regional Planning Council (Eick)
37. Endorsing the 2022 Aviation Capital Grant Program Application (Eick)
38. Authorizing the Filing of an Application for State Assistance from the Household Hazardous Waste (HHW) State Assistance Program and the Signing of the Associated State Contract, Under the Appropriate Laws of New York State (Eick)
39. Approving Agreement with Soil and Water Conservation District (Eick)
40. Re-Appointing Member to Soil and Water District Board (Eick)
41. Approving Appointments to the Fish and Wildlife Management Board (Eick)
42. Approving Appointment to the Municipal Electric and Gas Alliance (Mega) (Eick)
43. Approving Payment of \$6,967.00 to NYSAC, 2023 Share of Government Consultation Services (Eick)

44. Authorizing Out of State Travel for Legislators (Eick)
45. Authorizing Payments from Capital Project Broadband (Eick)
46. Authorizing the Continuation of the Continuity of Government Advisory Committee for Orleans County (Eick)
47. Setting Public Hearing Date on Local Law No. 2-Intro of 2023 A Local Law Amending Section 4 of Local Law No. 3 of the Year 2011 to Reapportion Legislative Districts (Eick)
48. Authorizing Acceptance of Additional Safe Harbour NY Funding from the Office of Children and Family Services and Authorizing County Treasurer to Set Up New Money in the Department of Social Services Budget (Miller)
49. Approving Purchase in the Department of Social Services (Miller)
50. Approving and Modifying Cellular Phone Use Agreements for the Department of Social Services (Miller)
51. Approving Agreement between County of Orleans and Community Action of Orleans & Genesee for 2022 Leadership Orleans Program (Miller)
52. Authorizing the County Treasurer to Transfer Funds Within the County Clerk Budget (Draper)
53. Granting County Exemption on Village Sewer and Water Systems (Draper)
54. Authorizing Computers to be Added to the Dell Master Lease (Draper)
55. Approving Appointments to the Employee Assistance Program Committee (Draper)
56. Approving the Employee Assistance Program Budget and Plan for 2023 (Draper)
57. Authorize Memorandum of Agreement Between Orleans County and the United States Environmental Protection Agency for Residential Property Located at 54 South Main Street in the Village of Holley, NY (Draper)
58. Approving Software License and Support Agreement between the County Treasurer and Logics, an Edmunds Govtech Company (Draper)
59. Approving Agreement between County Treasurer and Fifth Asset Inc./Dba Debtbook to Implement a Lease and Debt Management System to Comply with GASB 87 and GASB 96 and Authorizing County Treasurer to Set Up Money (Draper)
60. Authorizing the County Treasurer to Approve Real Property Tax Corrections and Refunds (Draper)
61. Authorizing County Treasurer to Set Up Reserve Monies for the Energy Performance Lease Payment (Draper)
62. Authorizing the Chairman of the Legislature to Enter into an Agreement with the County of Orleans Industrial Development Agency [COIDA] for the Year 2023 (Draper)
63. Authorizing the Submittal of a Community Development Block Grant Application and the Execution of Related Documents (Draper)
64. Authorizing Payment of Claims for February Against the County (Allport)

Old Business

Adjournment

RESOLUTIONS:

RESOLUTION NO. 1-123

AUTHORIZING THE SHERIFF'S OFFICE TO ADD 5 SIM CARDS TO THE VERIZON ACCOUNT

RESOLVED, that this Legislature does hereby authorize the Sheriff's Office to add 3 SIM cards, (to be used by three Road Patrol vehicles and 2 additional vehicles) to the Verizon account, to be paid per month from Sheriff's Office Budget Account 01.3110.0401 – Cellular Phones and Pages; and will be used for all work-related activity.

Moved, Draper; second,

RESOLUTION NO. 2-123

AUTHORIZING UPDATING CIVIL OFFICE FEE SCHEDULE FOR THE ORLEANS COUNTY SHERIFF'S OFFICE BY ZIP CODE

RESOLVED, that this Legislature approves the following fee schedule for Civil service processing performed by the Sheriff's Office effective February 1, 2023:

*All fees for service must be paid in advance. Fees for service are for each person to be served. When multiple types of process are served simultaneously, the statutory fee for each type of process will be charged. Mileage and notary fees will be added to all services EXCEPT Income Executions.

2023 Mileage		
Mileage Rates per Zip code, based on round trip:		
14012	Barker	\$28.00
14058	Elba	\$24.00
14098	Lyndonville	\$28.00
14103	Medina	\$26.00
14105	Middleport	\$24.00
14125	Oakfield	\$28.00
14411	Albion	\$20.00
14416	Bergen	\$26.00
14420	Brockport	\$26.00
14422	Clarendon	\$26.00
14470	Holley	\$26.00
14476	Kendall	\$28.00
14477	Kent	\$24.00
14571	Waterport	\$24.00

Moved, Draper; second,

RESOLUTION NO. 3-123

AUTHORIZING SHERIFF'S OFFICE TO APPLY FOR AND ACCEPT GRANT MONIES AND AUTHORIZING THE COUNTY TREASURER TO SET UP NEW MONEY

RESOLVED, that this Legislature authorizes the Sheriff's Office to apply for the Domestic Terrorism Prevention Grant, Project No. DT22-1060-E00, in the amount of \$172,413 through the New York State Division of Homeland Security and Emergency Services, for a contract period of September 1, 2022 through August 31, 2024; and be it

FURTHER RESOLVED, that the Legislature Chairman is hereby authorized to execute the grant agreement and all related documents associated with this grant, subject to review by the County Attorney; and be it

FURTHER RESOLVED, that this Legislature approves the grant acceptance agreement between the Orleans County Sheriff's Office and the New York State Division of Homeland Security and Emergency Services for a contract period of September 1, 2022 through August 31, 2024; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the Sheriff's Budget, as follows:

REVENUE:

01.3110.3393	Domestic Terrorism Prevention Grant	\$172,413.00
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APPROPRIATION:

01.3110.0486.3393	Domestic Terrorism Prevention Grant	\$172,413.00
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Moved, Draper; second,

RESOLUTION NO. 4-123

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; now 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	\$150.00
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APPROPRIATION:

01.3110.0499	K9 – Sheriff	\$ 25.00
01.3130.0418	Other Contractual - SWAT	\$100.00
01.3510.0418	Other Contractual – Animal Control	\$ 25.00

Moved, Draper; second,

RESOLUTION NO. 5-123

AUTHORIZING THE SALE OF OUTDATED HANDGUNS AND AUTHORIZING THE COUNTY TREASURER TO SET UP NEW MONEY IN THE SHERIFF'S BUDGET

WHEREAS, The Orleans County Sheriff's Office is changing over from outdated 45mm handguns to 9mm handguns and has twenty-three (23) unusable Glock Model 21, 45 ACP caliber pistol; and

WHEREAS, J.S. Palumbo/AKA: Albion Gun Shop, has agreed to purchase the outdated Glock Model 21, 45 ACP pistols from the Sheriff's Office at the cost of \$310.00 per pistol for a total of \$7,130.00; now be it

RESOLVED, that this Legislature authorizes the sale of the Glock Model 21, 45 ACP caliber pistols to J.S. Palumbo/AKA Albion Gun Shop for a total sales price of \$7,130.00; and be it

FURTHER RESOLVED, that this Legislature authorizes the County Treasurer to set up new money in the Sheriff's Budget as follows:

REVENUE:

01.3110.2265	Sale of Equipment	\$7,130.00
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APPROPRIATION:

01.3110.0250	Other Equipment	\$7,130.00
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Moved, Draper; second,

RESOLUTION NO. 6-123

AUTHORIZE THE RELEASE OF FUNDS FROM THE OPIOID SETTLEMENT TO COUNTY DEPARTMENTS AND AGREEMENTS WITH VARIOUS AGENCIES AND AUTHORIZING THE COUNTY TREASURER TO SET UP AND DECREASE FUNDS

WHEREAS, the County of Orleans participated in a legal action with multiple New York counties and the State of New York against multiple pharmaceutical companies based on claims that the Distributors contributed to the opioid epidemic by failing to comply with their obligations under the federal Controlled Substances Act and the New York Controlled Substances Act to implement adequate measures to prevent diversion of the prescription opioids they distributed to pharmacies; and

WHEREAS, the Distributors have offered to settle the claims of Orleans County against them over eighteen (18) years and agreeing to implement injunctive relief under a controlled substance monitoring program; and

WHEREAS, the County has created a committee 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 2023 Orleans County budget allocated to departments funds that were presented to the committee; and

WHEREAS, outside agencies were also given the opportunity to submit proposals to be considered by the committee to be reimbursed for approved uses of the settlement funds; now be it

RESOLVED, that this Legislature approves an agreement with GCASA, Batavia, NY for OTP Clinic not to exceed reimbursement in the amount of \$20,000; and be it

FURTHER RESOLVED, that this Legislature approves an agreement with Orleans Hope Recovery, 243 S. Main Street, Suite 190, Albion, NY 14411 for administrative assistance and marketing not to exceed reimbursement in the amount of \$40,135; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new money due to an increase in funding from this opioid settlement as follows:

REVENUE:

01.8689.3148	Other Agencies Opioid Revenue	\$60,135.00
01.3150.3148	Jail Opioid Revenue	\$ 704.00
01.4010.3148	Public Health Opioid Revenue	\$48,000.00

APPROPRIATION:

01.8689.0439	Other Agencies	\$60,135.00
01.3150.0486	Jail Special Grants	\$ 704.00
01.4010.0402	Public Health Lab Testing	\$48,000.00

FURTHER RESOLVED, that the County Treasurer is authorized to decrease monies within the County Budget as follows:

REVENUES:

01.1185.3148	Medical Examiners Opioid	\$ (2,500.00)
01.3140.3148	Probation Opioid	\$(25,420.00)

APPROPRIATIONS:

01.1185.0455	Medical Examiners Fees for Service	\$ (2,500.00)
01.3140.0418	Probation Other Contractual	\$(24,960.00)
01.3140.0460	Probation Training	\$ (460.00)

Moved, Draper; second,

RESOLUTION NO. 7-123

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 #12- Contract #C120034 for the continuation of partial salary payment for the 3rd Assistant Public Defender and associated fringe, and bi-annual attorney registration fees, in the total amount of \$78,219, effective for a term from January 1, 2022, through December 31, 2024.

Moved, Draper; second,

RESOLUTION NO. 8-123

APPROVING A MEMORANDUM OF AGREEMENT BETWEEN PUBLIC DEFENDER AND LEGAL AID BUREAU OF BUFFALO, INC.

RESOLVED, that this Legislature does hereby approve a Memorandum of Agreement between the Public Defender and Legal Aid Bureau of Buffalo, Inc., in the amount of \$35,000, effective January 1, 2023, through December 31, 2023 for Legal Aid to accept assignments and provide appellate representation to persons convicted of crimes or violations in the courts of Orleans County. Funding provided through Indigent Legal Services in the amount of \$30,000 from #C800034, and \$5,000 from CSTWIDEHH33, or any further grants.

Moved, Draper; second,

RESOLUTION NO. 9-123

AUTHORIZING COUNTY TREASURER TO SET UP FUNDS FROM THE MISCELLANEOUS RESERVE TO PAY LEGAL AID BUREAU OF BUFFALO FOR 2021 INVOICES

RESOLVED, that this Legislature does hereby authorize the County Treasurer to set up funds from the Miscellaneous Reserve to the Public Defender Budget in the amount of \$17,500.00 for 2021 Q3 and Q4 expenses from the Legal Aid Bureau of Buffalo for invoices recently received, as follows:

RESERVE:

Miscellaneous Reserve	\$17,500.00
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APPROPRIATIONS:

01.1170.0486	Special Grants	\$12,500.00
01.1170.0486.1001	Special Grants HH	\$ 5,000.00

Said funds to be fully reimbursed by ILS through C800034 and CSTWIDEHH33, or any other grant or distribution.

Moved, Draper; second,

RESOLUTION NO. 10-123

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, 2023 through December 31, 2023 allowing receipt of seized funds from Federal forfeitures, and be it

FURTHER RESOLVED, that this Legislature body hereby authorizes the Chairman of the Legislature to execute this agreement as approved by the Orleans County Attorney.

Moved, Draper; second,

RESOLUTION NO. 11-123

APPROVING PROBATION DIRECTOR TO ACCEPT MONIES FROM THE ORLEANS COUNTY YOUTH BUREAU RESOURCE ALLOCATION GRANT

RESOLVED, that this Legislature approves the Orleans County Probation Director to apply for and accept aid in the amount of \$16,000 effective January 1, 2023 to December 31, 2023 to offset cost of providing Juvenile Delinquent Diversion Services from the Orleans County Youth Bureau Resource Allocation Grant.

Moved, Draper; second,

RESOLUTION NO. 12-123

AUTHORIZING PROBATION DIRECTOR TO ACCEPT MONIES FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES

WHEREAS, the Governor's Traffic Safety Council is providing the Division of Criminal Justice Services (Office of Probation and Correctional Alternatives) a funding opportunity to support supervision of Leandra's Law provisions therefore be it,

RESOLVED, that this Legislature does authorize Orleans County Probation Department to accept \$3,954 for Leandra's Law Ignition Interlock Device cases. This represents a increase of \$402 over previous year's funding. The Grant period is from October 1, 2022 to September 30, 2023.

Moved, Draper; second,

RESOLUTION NO. 13-123

AUTHORIZING OUT OF STATE TRAVEL FOR PROBATION DIRECTOR

RESOLVED, that the Legislature does hereby authorize attendance and out of state travel for Luci Welch, Probation Director, to attend the American Probation and Parole Association's (APPA) 2023 Annual Training Institute held in Philadelphia, Pennsylvania from February 11, 2023 through February 14, 2023 to promote the field of Probation in New York State. No county cost.

Moved, Draper; second,

RESOLUTION NO. 14-123

APPROVING AGREEMENT BETWEEN MENTAL HEALTH DEPARTMENT AND VARIOUS AGENCIES

RESOLVED, that this Legislature approve the following Agreements for the Mental Health Department for the 2023 calendar year

Restoration Society, Inc. (ACE Employment Services), 66 Englewood Avenue, Buffalo, NY 14214, providing supportive employment – vocational assessment, job readiness, and job coaching services. Contracted amount is not to exceed \$59,307. County cost is \$0.

Genesee Council on Alcoholism & Substance Abuse, 430 East Main Street, Batavia, NY 14020, providing outpatient SUD treatment services, community-based prevention services and jail-based SUD intervention services at a cost of \$472,985. County cost is \$35,167.

Spectrum Human Services, Inc., 227 Thorn Avenue, P. O. Box 631, Orchard Park, NY 14127-0631 providing mental health crisis response services via their CARES Team to residents of Orleans County from January 1, 2023 to August 31, 2023 at a cost of \$89,387. Funding provided by New York State Office of Mental Health from reinvestment of Medicaid dollars due to the closing of the Medina Behavioral Health Unit. County cost is \$0.

Living Opportunities of DePaul, 2475 George Urban Blvd, Suite 201 Depew, NY 14043 providing emergency crisis apartments, adult crisis transitional housing services, and supported housing services at a cost of \$198,671. Funding is provided by New York State Office of Mental Health from reinvestment of funding from the realignment of the State psychiatric facility network. County cost is \$0.

Coordinated Care Services, 1099 Jay Street, Rochester, NY 14611 providing specialized financial management services and preparation and submission of CFR reports beginning January 1, 2023 and ending December 31, 2023 at a cost of \$37,340. County cost is \$2,614.

Moved, Allport; second,

RESOLUTION NO. 15-123

AMENDING RESOLUTION NO. 588-1222 BETWEEN MENTAL HEALTH AND THE COUNTY OF NIAGARA

WHEREAS, Resolution No. 588-1222 was approved between the Mental Health Department and the County of Niagara to be effective January 1, 2023-through December 31, 2028; now be it

RESOLVED, that this Legislature amends the resolution between the Mental Health Department and the County of Niagara, to be effective January 1, 2023 – December 31, 2027. Cost of contract is \$75,000. County cost is \$5,250.

Moved, Allport; second,

RESOLUTION NO. 16-123

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

RESOLVED, that this Legislature accepts a generous donations received from the Medina Teachers' Association for the Suicide Prevention Coalition; and be it

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

REVENUE:

01.0001.2705	Donations	\$400.00
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APPROPRIATION:

01.4310.0402	Suicide Prevention Coalition	\$400.00
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Moved, Allport; second,

RESOLUTION NO. 17-123

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	\$18,658.00
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APPROPRIATION:

01.4310.418	Other Contractual	\$18,658.00
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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	\$18,658.00
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APPROPRIATION:

01.6510.0486	Special Grants	\$18,658.00
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Moved, Allport; second,

RESOLUTION NO. 18-123

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve the following agreements between the Health Department and the following agencies:

Office of the Aging, 14016 Rt. 31 West, Albion, NY 14411. Contract to provide chronic disease and accident prevention along with safety programs for Orleans County Residents sixty and above. Reimbursement from New York State Aid Article 6 100/36% not to exceed \$10,000.00. Term to run January 1, 2023 to December 31, 2023.

Orleans County Sheriff's Department, 13925 Rt. 31 PSB#400, Albion, NY 14411. Contract to provide Animal Control Services for Orleans County Health Department as requested. Rate of pay is based on Management Compensation Plan. Mileage is reimbursed at approved County rate. State Aid reimbursement Article 6; 100/36%. Term to run from January 1, 2023 through December 31, 2027.

3D Delivery, Inc. DBA Genesee Delivery, 58 Kingsbury Avenue, Batavia, NY 14020. Contract to provide Animal Control Services for Orleans County Health Department as requested. Rate of pay is based on Management Compensation Plan. Mileage is reimbursed at approved County rate. State Aid reimbursement Article 6; 100/36%. Term to run from January 1, 2023 to December 31, 2023.

Bogan & Tuttle Funeral Home, 226 Pearl Street, Medina, NY 14103. Contract to provide Transporter services for deaths in Orleans County, contract amounts are at \$175.00 per removal and \$1.50 per mile. Cost to county 100%. Term to run January 1, 2023 through December 31, 2025.

Christopher Mitchell, 21 West Avenue, Albion, NY 14411. Contract to provide transporter services for deaths in Orleans County, contract amounts are at \$175.00 per removal and \$1.50 per mile. Cost to county 100%. Term to run January 1, 2023 through December 31, 2025.

Cooper Funeral Home, 215 West Center Street, Medina, NY 14103. Contract to provide transporter services for deaths in Orleans County, contract amounts are at \$175.00 per removal and \$1.50 per mile. Cost to county 100%. Term to run January 1, 2023 through December 31, 2025.

Orleans Community Health aka Medina Memorial Hospital. 200 Ohio Street, Medina, NY 14103. Contract to provide the full Rabies Post Exposure Treatment to residents of Orleans County, Contract allows for the full Rabies Post Exposure series to be provided at Walk in Care (Albion Butts Rd. Facility) or Medina Emergency room. Reimbursement through Rabies grant. No county cost. Term to run January 1, 2023 to December 31, 2023.

Moved, Allport; second,

RESOLUTION NO. 19-123

ACCEPTANCE OF PERFORMANCE INCENTIVE AWARD FROM THE NEW YORK STATE DEPARTMENT OF HEALTH AND AUTHORIZING THE COUNTY TREASURER TO SET UP NEW MONIES IN THE PUBLIC HEALTH DEPARTMENT BUDGET

WHEREAS, the Orleans County Health Department successfully participated in year ten of New York State's Local Health Department Performance Incentive Program related to the COVID-19 pandemic response; now be it

RESOLVED, that this Legislature authorize the acceptance of a performance incentive awarded to the Orleans County Health Department in the amount of \$13,708 to support costs associated with Article 6 programs in 2023; and be it

FURTHER RESOLVED, that this Legislature authorizes the County Treasurer to set up new money in the Public Health Department budget as a result of the award from the New York State Department of Health as follows:

REVENUE:

01.4010.3401	State Aid	\$13,708.00
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APPROPRIATIONS:

01.4010.0250	Other Equipment	\$ 5,000.00
01.4010.0452	Personal Service Contracts	\$ 8,708.00

Moved, Allport; second,

RESOLUTION NO. 20-123

EXTENSION OF GRANT WITH ACCEPTANCE OF ADDITIONAL FUNDING AND AUTHORIZING THE COUNTY TREASURER TO SET UP NEW MONEY

WHEREAS, the Orleans County Health Department received MRC Award #22-2237 from the National Association of County & City Health Officials (NACCHO) in the amount of \$50,000 to support MRC COVID-19 response capabilities; now be it

RESOLVED, that the Legislature does hereby approve an extension to this award through June 30, 2023 and accept additional funding in the amount of \$17,500; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up the following new monies in the 2023 Health Department budget to support this additional funding:

REVENUE:

01.4010.1609	NACCHO	\$17,500.00
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APPROPRIATIONS:

01.4010.0452	Personal Service Contracts	\$ 350.00
01.4010.0463	Travel other than Mileage	\$ 2,500.00
01.4010.0464	Dues & Subscriptions	\$ 250.00
01.4010.0487	Environmental Health Supplies	\$ 14,400.00

Moved, Allport; second,

RESOLUTION NO. 21-123

AUTHORIZING PAYMENT FROM PUBLIC HEALTH DEPARTMENT BUDGET

WHEREAS, the Genesee and Orleans County Health Departments have applied for accreditation with the Public Health Accreditation Board as a joint applicant, now be it

RESOLVED, that this Legislature does hereby authorize the Orleans County Public Health Department to pay the annual accreditation service fee of \$5,600 to the Public Health Accreditation Board, 1600 Duke Street, Suite 200, Alexandria, VA 22314 from Public Health budget 01.4010.0452.

Moved, Allport; second,

RESOLUTION NO. 22-123

AUTHORIZING OUT OF STATE TRAVEL FOR HEALTH DEPARTMENT EMPLOYEES

RESOLVED, that this Legislature does hereby authorize out of state travel by Paul Pettit, Public Health Director to attend NACCHO Advisory committee quarterly Board meeting at the NACCHO Offices of Washington D.C. from February 28, 2023 through March 3, 2023. Costs covered by the NACCHO / State Aid 4010.463. No County Cost; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize out of state travel by Cora Young, Emergency Preparedness Educator to attend the 2023 Preparedness Summit at 265 Peach Tree Street NE, Atlanta, GA 30303 from April 23, 2023 through April 27, 2023. Cost covered by the MRC Grant. No County Cost.

Moved, Allport; second,

RESOLUTION NO. 23-123

APPROVING CONTRACT AGREEMENT BETWEEN THE ORLEANS COUNTY BOARD OF ELECTIONS AND DOMINION VOTING SYSTEMS CORPORATION

RESOLVED, that this Legislature approves an agreement between Orleans County Board of Elections and Dominion Voting Systems Corporation, 215 Spadina Ave., Toronto, Canada which will provide for Software Maintenance for the Election Maintenance System (EMS), Firmware Maintenance and Hardware and for the county board's seven (7) ICP Scanners and also Firmware and Hardware for fourteen (14) BMD Audio at a total cost of \$12,935.00. The Software Maintenance Term and Extended Hardware Warranty period is January 1, 2023 through December 31, 2023. To be reimbursed from HAVA (Shoebox) Grant number C003236; no County cost.

Moved, Allport; second,

RESOLUTION NO. 24-123

APPROVING AGREEMENT BETWEEN THE BOARD OF ELECTIONS AND PHOENIX GRAPHICS, INC.

RESOLVED, that this Legislature approves an agreement between the Orleans County Board of Elections and Phoenix Graphics, Inc., 1525 Emerson Street, Rochester, New York 14606 for the purchase of optical scan ballot printing and all related services in the production and security of ballots in strict accordance with the requirements of the New York State Election Law, assuring that the production of ballots and services will meet statutory deadlines. This agreement provides for a per ballot cost to the county of \$.48 each for a 14" & 17" ballot and the cost for a 22" ballot will be \$.54 each. The term of this agreement will be effective May 1, 2023 through April 30, 2028.

Moved, Allport; second,

RESOLUTION NO. 25-123

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY DEPARTMENT OF PUBLIC WORKS AND SPIDERMAN PEST CONTROL SERVICES

RESOLVED, that this Legislature approves an agreement between the Department of Public Works and Spiderman Pest Control Services, Inc., P.O. Box 26379, Rochester, New York 14626 for pest control services for various County buildings at a yearly cost of \$3,900.00 per year, agreement effective January 1, 2023 through December 31, 2026; and be it

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

Moved, Eick; second,

RESOLUTION NO. 26-123

APPROVING EMERGENCY REPAIR BETWEEN THE DEPARTMENT OF PUBLIC WORKS AND TRANE U.S. INC.

RESOLVED, that this Legislature hereby approves an emergency repair with Trane U.S. Inc., 45 Earhart Drive, Suite 103, Buffalo, New York 14221 to provide labor and materials to repair the Air Handling Unit (AHU-1) bearing failure at the County Office Building North location at a cost of \$5,925.00, pricing through OMNIA Racine #3341; to be paid out of the Buildings and Grounds Division budget 01.1620.0403.

Moved, Eick; second,

RESOLUTION NO. 27-123

APPROVING AGREEMENT BETWEEN DEPARTMENT OF PUBLIC WORKS AND OVERHEAD DOOR COMPANY

RESOLVED, that this Legislature does hereby approve an agreement between the Department of Public Works and Overhead Door Company, 2975 West Main Street Road, Batavia, New York 14021 to provide labor and materials to repair four pole barn garage door openers at the Orleans County Department of Public Works a cost of \$7,580.00, to be paid out of the Buildings and Grounds Division budget code 01.1620.0403; and be it

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

Moved, Eick; second,

RESOLUTION NO. 28-123

APPROVING AGREEMENT EXTENSION BETWEEN THE DEPARTMENT OF PUBLIC WORKS AND LABELLA ASSOCIATES, P.C.

WHEREAS, Resolution 114-222 approves an agreement with LaBella Associates to perform Professional Design services for the Fuel Island on West Academy Street in Orleans County; and

WHEREAS, Labella Associates has requested a time extension to complete this project; now be it

RESOLVED, that this Legislature does hereby approve an agreement extension with Labella Associates for a new completion date of December 31, 2023. LaBella will perform these services under the Term Agreement for Professional Architectural and Engineering Services, Resolution no. 218-422; and be it

FURTHER RESOLVED, the original agreement is at a cost not to exceed \$165,000.00 and there is no additional costs to the County for the new completion date.

Moved, Eick; second,

RESOLUTION NO. 29-123

AUTHORIZING REPAIR SERVICE FROM THE DEPARTMENT OF PUBLIC WORKS BUDGET

RESOLVED, that this Legislature approves a second service repair bill from Terex Utilities, 142 Gembler Road, San Antonio, Texas 78219 to repair the 2002 GMC Bucket Truck for a total cost of \$8,166.95; to be paid from the Machinery fund 04.5130.0444.

Moved, Eick; second,

RESOLUTION NO. 30-123

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT INFRASTRUCTURE PROJECTS ACCOUNT

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$4,165.00	Labella Associates	Professional Services – Norway Bridge Hydraulic Study

Moved, Eick; second,

RESOLUTION NO. 31-123

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT LAKE ONTARIO REDI ACCOUNT

RESOLVED, that this Legislature authorizes the following payment(s) to be made from budget account H1620.250, Capital Project – REDI Project – Point Breeze No 27:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$13,909.29	C.P.Ward	Final Payment #6-Construction Services

and be it,

FURTHER RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H1620.250, Capital Project – REDI Project – Lakeshore Road No 1:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$566.25	Wendel	Professional Services rendered through 12/31/2022

Moved, Eick; second,

RESOLUTION NO. 32-123

AUTHORIZING OUT OF STATE TRAVEL FOR DEPARTMENT OF PUBLIC WORKS EMPLOYEE

RESOLVED, that this Legislature does hereby authorize out of state travel for John Papponetti, Commissioner of Public Works to attend the National Association of County Engineers (NACE) conference to be held at Perdido Beach Resort in Orange Beach, Alabama from April 16, 2023 through April 20, 2023; to be paid out of budget account 04.5130.0463.

Moved, Eick; second,

RESOLUTION NO. 33-123

AUTHORIZING CREATING AND FILLING OF POSITION IN THE DEPARTMENT OF PUBLIC WORKS

RESOLVED, that this Legislature does hereby authorize the creation of a permanent part-time Code Enforcement Officer II position (5110.13) in the DPW-Highway Division at an annual salary of \$2,000.00; to be paid in quarterly payments; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created, vacant position effective January 25, 2023.

Moved, Eick; second,

RESOLUTION NO. 34-123

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 2023, to Cornell Cooperative Extension, such payments to be made by the County in quarterly payments of \$60,500.00; to be paid from 2023 budget.

Moved, Morgan; second,

RESOLUTION NO. 35-123

AMENDING RESOLUTION NO. 502-1022 AND AUTHORIZING COUNTY TREASURER TO SET UP FUNDS

WHEREAS, the County is required to verify the accuracy of demographic data obtained through the U.S. Census decennial population counts in 2020 to conform with election law; and

WHEREAS, Orleans County Resolution No. 502-1022 approved an agreement between Orleans County and The Research Foundation of the State of New York; and

WHEREAS, on December 13, 2022, The Research Foundation of the State of New York notified the County that it was not able to perform the Mapping/Demographic Services to be performed by The Benjamin Center for Public Policy Initiatives at SUNY New Paltz, which is required to perform redistricting of Orleans County's Legislative districts; and

WHEREAS, the Planning and Development Department which was working on this project with the assistance of GFLRPC, was able to secure another provider who is capable of doing the work to make the Orleans County Legislature Districts compliant with NYS Municipal Home Rule, Article 1, §10 1a. (13) (a.) redistricting; now be it

RESOLVED, that this Legislature does hereby approve an agreement between Planning and Development Department and Skyline Demographic Consultants, Inc., 350 Skyline Drive, Schenectady, NY 12306; effective January 11, 2023 through February 28, 2023 at a cost of \$11,253.00; and be it

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

FROM:

Miscellaneous Reserve \$11,253.00

TO:

01.8020.0418 Other-Contractual \$11,253.00

Moved, Eick; second,

RESOLUTION NO. 36-123

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 2023 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, Executive Director, 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, therefore, 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.

Moved, Eick; second,

RESOLUTION NO. 37-123

ENDORING THE 2022 AVIATION CAPITAL GRANT PROGRAM APPLICATION

WHEREAS, the County of Orleans has received a request from applicant of the Vintage Aircraft Group Inc., as Lessee and Operator of Pine Hill Airport, Town of Barre, County of Orleans, concerning the applicant's request for State grant funds under the 2022 Aviation Capital Grant Program for a project for the 2022 Aviation Capital Grant Program to include purchase and installation of a solar farm for the airport; and

WHEREAS, the Vintage Aircraft Group desires to improve the airport to enhance aviation services for the citizens of Orleans County and the surrounding area and that Vintage Aircraft Group Inc. has committed all of the matching funds for the project; and

WHEREAS, the project, if awarded by the New York State Commissioner of Transportation shall have no immediate or long-term financial obligation to the County; and

WHEREAS, the New York State Department of Transportation, under section 14-1 of the State Transportation Law requires that project applications made by privately owned airports be accompanied by a resolution from the governing body of the county in which the airport is located; now be it

RESOLVED, that the County of Orleans endorses the project identified above at the Pine Hill Airport for the purpose of making the project eligible for State funding; and be it

FURTHER RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation; and be it

FURTHER RESOLVED, that this resolution shall take effect immediately.

Moved, Eick; second,

RESOLUTION NO. 38-123

AUTHORIZING THE FILING OF AN APPLICATION FOR STATE ASSISTANCE FROM THE HOUSEHOLD HAZARDOUS WASTE (HHW) STATE ASSISTANCE PROGRAM AND THE SIGNING OF THE ASSOCIATED STATE CONTRACT, UNDER THE APPROPRIATE LAWS OF NEW YORK STATE

WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS, the County of Orleans, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF ORLEANS

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That THE CHAIRMAN OF THE LEGISLATURE OF THE COUNTY OF ORLEANS or his/her designee is directed and authorized as the official representative of the MUNICIPALITY

to act in connection with the application, to sign the resulting contract if said application is approved by the STATE; and to provide such additional information as may be required.

3. That the MUNICIPALITY agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for share of such costs as indicated in the contract.

4. That two (2) Certified Copies of this Resolution be prepared and sent to the New York State Department of Environmental Conservation together with a complete application.

5. That this resolution shall take effect immediately.

Moved, Eick; second,

RESOLUTION NO. 39-123

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 2023, at a cost of \$95,000.00, to be paid in quarterly payments of \$23,750.00; to be paid from 2023 budget.

Moved, Eick; second,

RESOLUTION NO. 40-123

RE-APPOINTING MEMBER TO SOIL AND WATER DISTRICT BOARD

RESOLVED, that this Legislature approves the following re-appointments to the Soil and Water District Board:

<u>Name:</u>	<u>Representation:</u>	<u>Term:</u>
Edward F. Morgan	Legislature	1/1/2023-12/31/2023
William H. Eick	Legislature	1/1/2023-12/31/2023

Moved, Eick; second,

RESOLUTION NO. 41-123

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 as follows:

<u>Name:</u>	<u>Representing:</u>	<u>Term:</u>
Neil Valentine	Landowner	1/1/2023-12/31/2024
Michael Elam	Sportsmen	1/1/2022-12/31/2023

Moved, Eick; second,

RESOLUTION NO. 42-123

APPROVING APPOINTMENT TO THE MUNICIPAL ELECTRIC AND GAS ALLIANCE (MEGA)

RESOLVED, that this Legislature approves the appointment of John C. Welch, Jr. to serve as the Orleans County representative on the Municipal Electric and Gas Alliance (MEGA) Corporation, for a one-year term ending December 31, 2023.

Moved, Eick; second,

RESOLUTION NO. 43-123

APPROVING PAYMENT OF \$6,967.00 TO NYSAC, 2023 SHARE OF GOVERNMENT CONSULTATION SERVICES

RESOLVED, that this Legislature hereby approves payment to NYSAC for Orleans County shared cost of government consultation in Albany, NY and Washington D.C. Services include: State budget advocacy, legislative advocacy, legal and technical assistance, training and educational programs, policy analysis, research, daily news clips, electronic newsletters, NYSAC news, other programs and services of benefit to the county. To be paid from budget 01.1910.0481.

Moved, Eick; second,

RESOLUTION NO. 44-123

AUTHORIZING OUT OF STATE TRAVEL FOR LEGISLATORS

RESOLVED, that this Legislature does hereby approve Chairman Lynne M. Johnson, Legislators Merle “Skip” Draper and John Fitzak to travel out of state to attend the NACo Legislative Conference in Washington DC on February 10, 2023 through February 14, 2023, with all expenses to be paid from the Legislative budget account 01.1010.0463-Travel – other than Mileage.

Moved, Eick; second,

RESOLUTION NO. 45-123

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>
\$ 56,079.00	RTO Wireless	Inv # 20221219-P1, Carlton Site, Permit

\$2,400.00 RTO Wireless Inv # 20221228ct-p1, Carlton Site,
Heros Environmental review

Moved, Eick; second,

RESOLUTION NO. 46-123

**AUTHORIZING THE CONTINUATION OF THE CONTINUITY OF GOVERNMENT
ADVISORY COMMITTEE FOR ORLEANS COUNTY**

WHEREAS, Resolution No. 323-808 authorized the establishment of a Continuity of Government Advisory Committee to create a Continuity of Operations Plan (COOP) to ensure the continued performance of essential functions and services when normal, standard operations become overwhelmed, regardless of the emergency; now be it

RESOLVED, that this Legislature re-authorizes the continuation of the Continuity of Government Advisory Committee members include: Director of Public Health, Director of Emergency Management, Director of Mental Health, Director of Personnel and Self Insurance, Commissioner of the Department of Public Works, Director of Emergency Preparedness, Director of Computer Services, Chief Administrative Officer, Orleans County Sheriff and Commissioner of the Department of Social Services as established and will be subject to reauthorization at the end of calendar year 2023.

Moved, Eick; second,

RESOLUTION NO. 47-123

**SETTING PUBLIC HEARING DATE ON LOCAL LAW NO. 2-INTRO OF 2023 A LOCAL
LAW AMENDING SECTION 4 OF LOCAL LAW NO. 3 OF THE YEAR 2011 TO
REAPPORTION LEGISLATIVE DISTRICTS**

WHEREAS, there has been duly presented and introduced to this Legislature, a proposed local law entitled “A LOCAL LAW AMENDING SECTION 4 OF LOCAL LAW NO. 3 OF THE YEAR 2011 TO REAPPORTION LEGISLATIVE DISTRICTS”; 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 9th day of February 2023 at 6:00 p.m. at the Orleans County Legislature, 14016 Route 31 West, Albion, New York.

Moved, Eick; second,

RESOLUTION NO. 48-123

**AUTHORIZING ACCEPTANCE OF ADDITIONAL SAFE HARBOUR NY FUNDING FROM
THE OFFICE OF CHILDREN AND FAMILY SERVICES AND AUTHORIZING COUNTY**

TREASURER TO SET UP NEW MONEY IN THE DEPARTMENT OF SOCIAL SERVICES BUDGET

WHEREAS, Resolution No. 60-122 authorized the acceptance of \$43,350 from Safe Harbour NY funding, awarded by the NYS Office of Children and Family Services, to be used to develop a countywide response to child trafficking and exploitation, at no local cost to the County, has been budgeted for calendar year January 1, 2023 through December 31, 2023; and

WHEREAS, the actual Safe Harbour NY grant amount has been established at \$52,020.00; now be it

RESOLVED, that this Legislature does approve the acceptance of the additional \$8,670.00 Safe Harbour NY funding; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up the additional funds in the Department of Social Services budget to be used as follows:

REVENUE:

01.6010.3610 Social Services Administration \$ 8,670.00

APPROPRIATION:

01.6010.0411 Office Supplies & Materials \$ 650.00
01.6010.0418 Other Contractual Expenses \$ 6,000.00
01.6010.0441 Printing \$ 120.00
01.6010.0461 Postage \$ 500.00
01.6010.0462 Mileage \$ (100.00)
01.6010.0463 Travel other than mileage \$ 1,500.00

Moved, Miller; second,

RESOLUTION NO. 49-123

APPROVING PURCHASE IN THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, that this Legislature approves the purchase of office furniture through Intivity, 106 Despatch Drive, Suite 2, East Rochester, NY 14445, NYS Vendor# 1000008256 to be paid from the Department of Social Services Account 01.6010.0210 at a cost not to exceed \$25,921.00.

Moved, Miller; second,

RESOLUTION NO. 50-123

APPROVING AND MODIFYING CELLULAR PHONE USE AGREEMENTS FOR THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, that this Legislature does hereby authorize the Orleans County Department of Social Services to add cell phones to the Verizon account, to be paid per month from Budget 01.6010.0401 – Cellular Phones; and be it

FURTHER RESOLVED, that this Legislature approves the Cellular Phone Use Agreements covering existing and newly added cellular phone lines and replacing any previously approved agreements as follows:

Positions to be modified on existing cellular phone lines:

On-call Worker	On-call Supervisor		
6010.0207	6010.0215	6010.0228	6010.2014
6010.0208	6010.0216	6010.0260	

Positions to receive newly added cellular phone lines:

6010.0100	6010.0211	6010.0224	6010.0231
6010.0101	6010.0217	6010.0225	6010.0232
6010.0115	6010.0219	6010.0226	6010.0241
6010.0203	6010.0221	6010.0227	6010.0261
6010.0206	6010.0222	6010.0229	6010.0265
6010.0209	6010.0223	6010.0230	6010.0266

Moved, Miller; second,

RESOLUTION NO. 51-123

APPROVING AGREEMENT BETWEEN COUNTY OF ORLEANS AND COMMUNITY ACTION OF ORLEANS & GENESEE FOR 2022 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 2023 Leadership Orleans program with a class size of 25, subject to County Attorney approval; effective January 1, 2023 through December 31, 2023 at a cost of \$16,000 to be paid from Undistributed Expense Account 01.1910.0418 – Other Contractual. County cost \$16,000.

Moved, Miller; second,

RESOLUTION NO. 52-123

AUTHORIZING THE COUNTY TREASURER TO TRANSFER FUNDS WITHIN THE COUNTY CLERK BUDGET

RESOLVED, that the County Treasurer is authorized to transfer funds within the County Clerk Budget to cover payment as adopted in Resolution No. 629-1222 which approved an agreement with Tyler Technologies as follows:

FROM:

01.1410.0100	Personnel	\$30,212.00
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01.1410.0860 Health Insurance \$40,297.00

TO:

01.1410.0447 Contracted Services & Equipment \$70,509.00

Moved, Draper; second,

RESOLUTION NO. 53-123

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 2023 in accordance with the provisions of section 406 of the Real Property Tax Law.

Moved, Draper; second,

RESOLUTION NO. 54-123

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 48 computers of assorted types and models and 208 ancillary equipment (mounts, docks and monitors) to the Dell Master Lease as #810-6457612-XXX for various Departments in Orleans County from March, 2023 through March, 2026, four (4) annual payments of \$33,983.22 with a \$1 buyout option in March of 2027, to be paid from various budget accounts XXXX.0222 – Leased Equipment by apportionment; 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, the County Treasurer and Chief Administrative Officer.

Moved, Draper; second,

RESOLUTION NO. 55-123

APPROVING APPOINTMENTS TO THE EMPLOYEE ASSISTANCE PROGRAM COMMITTEE

RESOLVED, that this Legislature authorizes the following appointments to the Employee Assistance Program Committee for the following terms:

Nadine Hanlon, County Clerk - Management	1/1/23-12/31/24
Nola Goodrich-Kresse, Public Health (GCASA Liaison)	1/1/23-12/31/24
Nicole Spohr, Sheriff's Office – OCSEA Representative	1/1/23-12/31/24
Merle L. Draper, Legislature	1/1/23-12/31/24
Michele L. Sargent, Office for the Aging	1/1/23-12/31/24

Moved, Draper; second,

RESOLUTION NO. 56-123

APPROVING THE EMPLOYEE ASSISTANCE PROGRAM BUDGET AND PLAN FOR 2023

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 2023; now be it

RESOLVED, that this Legislature authorizes the Orleans County Employee Assistance Program budget and plan of operations for the year 2023 as follows:

EMPLOYEE ASSISTANCE PROGRAM BUDGET AND PROGRAM PLAN

Program Revenues:

Commissions/Deposits	\$3,250.00
Raffles	<u>\$3,720.00</u>
Total	\$6,970.00

Program Expenditures:

Employee of the Month/Year Program	\$ 830.00
Summer Picnic	\$2,500.00
Holiday Luncheon	\$2,500.00
Miscellaneous	<u>\$1,140.00</u>
Total	\$6,970.00

Moved, Draper; second,

RESOLUTION NO. 57-123

AUTHORIZE MEMORANDUM OF AGREEMENT BETWEEN ORLEANS COUNTY AND THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY FOR RESIDENTIAL PROPERTY LOCATED AT 54 SOUTH MAIN STREET IN THE VILLAGE OF HOLLEY, NY

WHEREAS, the United States Environmental Protection Agency (EPA) and Orleans County are desirous to resolve certain issues relating to a residential property located at 54 South Main Street in the Village of Holley, NY; now be it

RESOLVED, that this Legislature authorize the Chairman to execute a Memorandum of Agreement with the United States Environmental Protection Agency regarding 54 South Main Street in the Village of Holley; and be it

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

Moved, Draper; second,

RESOLUTION NO. 58-123

APPROVING SOFTWARE LICENSE AND SUPPORT AGREEMENT BETWEEN THE COUNTY TREASURER AND LOGICS, AN EDMUNDS GOVTECH COMPANY

RESOLVED, that this Legislature approves the annual applications software license and support agreement between the County Treasurer and Logics, an 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, 2023 through December 31, 2023, to be paid from the respective budgets, as applicable.

Moved, Draper; second,

RESOLUTION NO. 59-123

APPROVING AGREEMENT BETWEEN COUNTY TREASURER AND FIFTH ASSET INC./DBA DEBTBOOK TO IMPLEMENT A LEASE AND DEBT MANAGEMENT SYSTEM TO COMPLY WITH GASB 87 AND GASB 96 AND AUTHORIZING COUNTY TREASURER TO SET UP MONEY

WHEREAS, it is the desire of the County Treasurer to contract with Fifth Asset Inc/DBA DebtBook in order to comply with GASB 87 for Lease Management and the forthcoming GASB 96 with tracking software programs; and

WHEREAS, there is an implementation cost of \$2,000.00 and an annual fee of no more than \$13,000.00 with a first year ten percent discount; now be it

RESOLVED, this Legislature approves the agreement between the County Treasurer and Fifth Asset Inc./DBA DebtBook, 300 W. Summit Avenue, Suite 110, Charlotte, NC 28203 and also authorizes the County Treasurer to set up money as follows:

RESERVE:

Building & Equipment Reserve	\$13,700.00
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APPROPRIATION:

01.1325.0440 Auditors \$13,700.00

Moved, Draper; second,

RESOLUTION NO. 60-123

AUTHORIZING THE COUNTY TREASURER TO APPROVE REAL PROPERTY TAX CORRECTIONS AND REFUNDS

WHEREAS, the New York State Real Property Tax Law, Sections 554 and 556, provides an administrative correction of error process to assist the property owner in obtaining real property corrections and tax refunds caused by certain clerical errors, unlawful entries and errors in essential fact; and

WHEREAS, Real Property Tax Law, Sections 554 and 556 provides that the tax levying body may delegate, by resolution on an annual basis, the authority to perform the duties of the tax levying body; and

WHEREAS, the Administration and Finance Committee does recommend that the County Treasurer be delegated to perform said duties; now therefore be it

RESOLVED, that the Orleans County Treasurer be and hereby is authorized and directed to carry out the requirements of Section 554 and 556 of the Real Property Tax Law, effective immediately where the Real Property Tax Director has recommended a refund and said refund is two thousand five hundred dollars or less; and be it

FURTHER RESOLVED, that on the fifteenth day of each month in 2023, the Orleans County Treasurer shall submit a report to the Orleans County Legislature of the refunds processed during the preceding month containing the name of each recipient, the location of the property, the reason for the refund and the amount of refund and when no refunds are given no report will be issued.

Moved, Draper; second,

RESOLUTION NO. 61-123

AUTHORIZING COUNTY TREASURER TO SET UP RESERVE MONIES FOR THE ENERGY PERFORMANCE LEASE PAYMENT

WHEREAS, the energy savings realized in 2022 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

TO:

01.9901.0556 Transfer to Debt Services \$45,000

Moved, Draper; second,

RESOLUTION NO. 62-123

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY [COIDA] FOR THE YEAR 2023

WHEREAS, it is in the best interest of the County that the many advantages of Orleans County be publicized to those who may be interested in establishing, maintaining, or expanding business and industry in the County of Orleans, in order to create new jobs and keep a healthy economy; and

WHEREAS, equally as important, is the ability to retain within the county the jobs already located here; and

WHEREAS, among the most important tasks facing New York State are the need to increase jobs and encourage higher levels of private capital investment in business and industry, thereby improving the general prosperity and economic welfare of the people of New York State and its constituent municipalities; and

WHEREAS, the County recognizes that the Agency is a community-wide organization with the expertise and capacity to improve the general prosperity and economic welfare to the people of the County; and

WHEREAS, the purpose of this Agreement is to carry out in a legal and proper manner the provisions of Section 852 of the General Municipal Law of the State of New York, which section does authorize the County to appropriate funds for the purpose of encouraging industrial development within the County; and

WHEREAS, New York State Public Officers Law Section 18 states that a county legislative body may provide for the defense and indemnification of the officers and employees of a public entity and additional indemnification of said Agency may be contracted in return for services; and

WHEREAS, the County has, by Resolution adopted by the Orleans County Legislature, authorized the execution of this contract and the indemnification agreement herein between the County and the Agency; now, therefore be it

RESOLVED, that this Legislature authorizes the Chairman to sign an agreement with the County of Orleans Industrial Development Agency [COIDA] to provide the services as set forth in the agreement at an annual cost of \$200,000.00, to be paid in quarterly payments of \$50,000.00 for the period of January 1, 2023 through December 31, 2023; to be paid from 2023 budget.

Moved, Draper; second,

RESOLUTION NO. 63-123

AUTHORIZING THE SUBMITTAL OF A COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION AND THE EXECUTION OF RELATED DOCUMENTS

WHEREAS, Freeze Dry Foods LLC, doing business as Thrive Foods (the “Company”) plans to acquire machinery and equipment for its facility at 111 West Avenue in the Village of Albion (the “Project”) at an estimated Project cost of \$3,000,000.00; and

WHEREAS, the Company has requested that Orleans County (the “County”) apply for funding on its behalf from the New York State Office of Community Renewal (“OCR”) to finance a portion of the cost of machinery and equipment and other eligible expenses; and

WHEREAS, the Orleans Land Restoration Corporation (the “OLRC”) is assisting in the facilitation of the Project and has requested that the County provide the OCR funding to the OLRC as a grant for the purpose of making a deferred loan and a term loan to the Company; and

WHEREAS, the Project will result in substantial benefit to the Village of Albion and Orleans County in the form of an estimated 45 new employment positions; and

WHEREAS, the County has held a public hearing to obtain citizens’ views regarding the CDBG program as administered by OCR and the Project; now be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to submit a grant application in an amount up to \$675,000.00 to the OCR to support the Project; and be it

FURTHER RESOLVED, that the Chairman of the Legislature is hereby designated as the Environmental Certifying Officer for the purposes of complying with the applicable federal environmental review requirements for the OCR grant; and be it

FURTHER RESOLVED, that the Chairman of the Legislature is hereby authorized to execute the OCR grant agreement and all related documents associated with the OCR grant, including entering into a grant agreement with the OLRC for the implementation of the Project and administration of the OCR grant, subject to review and approval by the County Attorney and Orleans County CAO.

Moved, Draper; second,

RESOLUTION NO. 64-123

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 7, 2023 and February 28, 2023:

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

Moved, Allport; second,