



Zoom

Dial: 1 646 558 8656

Meeting ID: 853 3646 4419

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CONFERENCE SESSION

- 4:15 p.m. Mike Fries, Storm Ready Street Sign
Justine Niederhofer, EMO Deputy Director
- 4:25 p.m. Kelly Kiebala, Job Development Director -
'Good Jobs Finger Lakes' Grant Opportunity

LEGISLATURE MEETING - AGENDA

February 23, 2022 4:30 p.m.

Call to Order

Pledge to the Flag and Invocation offered by Rev. Daniel Thurber

Roll Call

Presentation of Communications

Proclamation(s)/Special Recognition(s) - Developmental Disabilities Awareness Month

Treasurer's Report

Open Discussion – Legislators/Public Comment on Resolutions

Presentation of Resolutions:

85. Authorizing Acceptance of Donations to the Sheriff's Office and Authorizing Treasurer to Set Up New Monies in the Sheriff's Budget (Draper)
86. Authorizing Sheriff Patrol Vehicle Repair and Authorizing Treasurer to Set Up Insurance Recoveries Reserve Money in the Sheriff's Office Budget (Draper)
87. Appointing Members to the Emergency Medical Services Council (Draper)
88. Appointing Members to the Radio System Advisory Board (Draper)
89. Appointing Members to the Orleans County Fire Advisory Board (Draper)
90. Approving Memorandum of Agreement between Public Defender and Legal Aid Bureau of Buffalo, Inc. (Draper)
91. Approving Agreement for Assigned Counsel Administrator with James P. Punch (Draper)
92. Approving Agreements between Public Defender and Jose Avila and Ken Spohr for Investigative Services (Draper)
93. Approving Extension of Agreement Between Public Defender and New York Office of Indigent Legal Services (Draper)
94. Approving Extension of Agreement Between Public Defender and New York Office of Indigent Legal Services (Draper)
95. Approving Agreement between Public Defender and Indigent Legal Services (Draper)
96. Authorizing Purchase with the Use of Grant Funds for the Public Defender's Office (Draper)

97. Authorizing Purchase with the Use of Grant Funds for the Public Defender's Office (Draper)
98. Approving Agreement between Orleans County District Attorney's Office and the U.S. Department of Justice (Draper)
99. Authorizing Transfer of Funds in the Probation Budget (Draper)
100. Authorizing Agreement for Shared Services between Orleans County Mental Health Department and Genesee County (Allport)
101. Authorizing Treasurer to Transfer Funds Within the Mental Health Budget (Allport)
102. Approving Agreements between the Health Department and Various Agencies (Allport)
103. Authorizing Abolishing, Creating and Filling a Position in the Public Health Department (Allport)
104. Authorizing Out of State Travel for Health Department Employee (Allport)
105. Authorizing Out of State Travel for Health Department Employee (Allport)
106. Approving Agreement with Department of Public Works and Custom Carpet Centers (Morgan)
107. Approving Agreement between the Orleans County Department of Public Works and Emergency Power Systems (Morgan)
108. Approving Agreement between the Department of Public Works and Tracker Software Corporation, Inc. (Morgan)
109. Approving Agreements between the County And Towns for Snow and Ice Control and Mowing of County Roads (Morgan)
110. Approving Supplemental No. 1 Agreement with CHA Consulting Inc. for Professional Services for Yates Carlton Townline Road Bridge Replacement Project (Morgan)
111. Authorizing Payment from the Department of Public Works Budget (Morgan)
112. Authorizing the Department of Public Works to Purchase a New John Deere Wheel Loader (Morgan)
113. Approving Agreement between the Department of Public Works and Trane and Authorizing County Treasurer to Transfer Funds in the Building and Grounds Division Budget (Morgan)
114. Approving Agreement between the Department of Public Works and Labella Associates, P.C. (Morgan)
115. Authorizing County Treasurer to Set Up New Money in the Department of Public Works (Morgan)
116. Authorizing County Treasurer to Set Up Funds from Miscellaneous Reserve into the Department of Public Works (Morgan)
117. Authorizing County Treasurer to Set Up Funds from Miscellaneous Reserve into the Department Of Public Works (Morgan)
118. Authorizing County Treasurer to Set Up Funds from Infrastructure Reserve into the Department of Public Works (Morgan)
119. Authorizing County Treasurer to Set Up Funds from ARPA into the Department of Public Works (Morgan)
120. Resolution Approving Appointments to the County Planning Board (Morgan)
121. Authorizing Payment of 2022 Tourism Matching Funds to Greater Niagara Region (Morgan)
122. Authorizing Orleans County Treasurer to Set Up American Rescue Plan Act Funds for Tourism Due to the Cut Back in Matching Funds Grant for 2022 (Morgan)
123. Advocating to Maintain Sixty Hour Work Week for Farm Workers (Morgan)
124. Approving Agreement with Mercy Flight (Morgan)
125. Authorizing Payment for 2022 Leadership Orleans Participants (Morgan)

126. Resolution in Opposition to Senate Bill S7855 as it Relates to the Membership of the Board of Directors of the Western Regional Off-Track Betting Corporation (Draper)
127. Approving Agreements with the Department of Social Services (Miller)
128. Authorizing Purchase in the Department of Social Services (Miller)
129. Approving a Renewal Agreement between Office For the Aging Department and Liturgical Publications Inc. (Miller)
130. Authorizing the Orleans County Job Development Agency to Participate in its Role as Part of the Region’s Workforce Development Network in Monroe County’s “Good Jobs Finger Lakes” Grant Application for Funding through the ARPA Good Jobs Challenge (Miller)
131. Authorizing Computers to be Added to the Dell Master Lease (Draper)
132. Authorizing Purchase for Computer Services for the 2022 Ebizdocs Project (Draper)
133. Authorizing Purchase for Computer Services for the Planning Department’s Geographic Information System Project and the Department of Public Works Digital Signage Project (Draper)
134. Authorizing Treasurer to Set Up Funds from Reserve to Computer Services Equipment Accounts and Telephone Account (Draper)
135. Amending Resolution No. 547-1221 that Authorized Salary Schedules for Management, Certain Part-Time, and Unclassified Employees (Draper)
136. Setting Date and Terms for Auction of County-Owned Tax Properties Notwithstanding any Resolution Heretofore (Draper)
137. Authorizing County Treasurer to Set Up Funds from Repairs Reserve to Office Equipment Repairs Account (Draper)
138. Authorizing Payment of Claims for March Against the County (Fitzak)

Unfinished Business

Adjournment

RESOLUTIONS:

RESOLUTION NO. 85-222

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

RESOLVED, that this Legislature accepts generous donations received from generous community members to assist the Sheriff’s Office Animal Shelter, now be it

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

REVENUE:

01.0001.2705	Gifts & Donations	\$120.00
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APPROPRIATION:

01.3510.0418	Other Contractual Expenses	\$120.00
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Moved, Draper; second,

RESOLUTION NO. 86-222

AUTHORIZING SHERIFF PATROL VEHICLE REPAIR AND AUTHORIZING TREASURER TO SET UP INSURANCE RECOVERIES RESERVE MONEY IN THE SHERIFF'S OFFICE BUDGET

RESOLVED, that this Legislature authorizes the Sheriff's Office to proceed with payment on the 2017 Chevy Tahoe Patrol Vehicle (519) on Claim # ORLE-2020-005-001 in the amount of \$9,234.33 to DK Auto Body 338 Childs Street Albion, NY 14411 to be paid from the Sheriff's Budget Account 01.3110.446-Vehicle Maintenance, now be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up funds from Miscellaneous Reserve in the Sheriff's Office Budget as follows:

FROM:

Miscellaneous Reserve \$6,349.09

TO:

01.3110.446 Vehicle Maintenance \$6,349.09

Moved, Draper; second,

RESOLUTION NO. 87-222

APPOINTING MEMBERS TO THE EMERGENCY MEDICAL SERVICES COUNCIL

RESOLVED, that this Legislature approve the following members to the 2022 Emergency Medical Services Council, all terms expiring December 31, 2022:

<u>AGENCY</u>	<u>NAME OF REP</u>	<u>ALTERNATE</u>
Albion Fire Department	Fred Piano	Greg Marston
Barre Fire Company	Kara Smith	Chris Flansburg
Carlton Fire Company	David Bertsch	Robin Hughson
Clarendon Fire Company	Kerry McCormack	
East Shelby Fire Company	Michael Fuller	Sue Behrend
Murray Joint Fire District	Hunter Salamaca	Eric Reed
Kendall Fire Company	Shelby Willis	Stephan Balka
Lyndonville Fire Company	Anna Schuner	Wallace Snyder
Medina Fire Department	Jacob Crooks	Steven Cooley
Ridgeway Fire Company	Kristin McAdoo	Dylan Parker
Shelby Fire Company	Jeffery Lyons	Tiffany Petry
COVA	Laurie Schwab	Brandi Fisher
Orleans County EMS- Coordinator/EMO	Justin Niederhofer	Gerald Bentley
Orleans County Public Health	David Bell	Cora Young
Orleans County Sheriff's Office/ 911 Center	Allen Turner	Christopher Bourke
Orleans Community Health	Richard Elman, MD FACEP	Angela Moriarty

NON VOTING MEMBERS

County Legislature Chairman	Lynne M. Johnson	William Eick, Vice
Public Safety Chairman	Merle Draper	
NYS DOH	TBD	
Monroe Ambulance	Michael Bove	John Williams
Mercy Flight	Thomas LaBelle	
Lake Plains Community Care- Network EMS	Charlotte Crawford	

Moved, Draper; second,

RESOLUTION NO. 88-222

APPOINTING MEMBERS TO THE RADIO SYSTEM ADVISORY BOARD

WHEREAS, Res No 148-320 authorized adding a fourteenth member to the Radio System Advisory Board; and

WHEREAS, the Holley Police Dept. has a new Police Chief; now be it

RESOLVED, that this Legislature authorize adding a fifteenth (15) member to the Radio System Advisory Board; and be it

FURTHER RESOLVED, that this Legislature appoint the following members to the Radio System Advisory Board for a one year term beginning January 1, 2022 through December 31, 2022:

Lynne M. Johnson	Chairman of the Legislature
William Eick	Vice Chairman of the Legislature
Merle Draper	Chair, Public Safety Committee
John C. Welch, Jr.	Chief Administrative Officer
Christopher Bourke	Sheriff
H. Dale Banker	Director of Emergency Management
Justin Niederhofer	Deputy Director/County Interop Coordinator
John Paponetti	Commissioner of Department of Public Works
Allen Turner	Dispatch
David Mogle	Chief of Police-Albion (Provisional)
Tim Warth	Public Safety Communications Manager
Gerald Bentley	Fire Chief's Association
Jonathan Higgins	Fire Advisory Board
Chad Kenward	Chief of Police-Medina
Bob Barton	Chief of Police-Holley

Moved, Draper; second,

RESOLUTION NO. 89-222

APPOINTING MEMBERS TO THE ORLEANS COUNTY FIRE ADVISORY BOARD

RESOLVED, that this Legislature approve the following voting members to the Orleans County Fire Advisory Board, effective January 1, 2022 with all terms expiring December 31, 2022.

<u>AGENCY</u>	<u>Primary</u>	<u>Alternate</u>
Albion Fire Department	Robert Conner	John Papponetti
Barre Fire Company	Ben Flansburg	James Neal
Carlton Fire Company	Dale Niehaus	Andrew Niederhofer
Clarendon Fire Company	Robert Frieda	Marc Major
COVA	Laurie Schwab	Brandi Fisher
E. Shelby Fire Company	Allen Turner	
Kendall Fire Company	Dan Schultz	Mike Schultz
Lyndonville Fire Company	Mike Heideman	Gary White
Medina Fire Department	Matt Jackson	Jonathan Higgins
Murray Joint Fire District	Harris Reed	Rick Cary
Ridgeway Fire Company	Pat Kelly	Kristin McAdoo
Shelby Fire Company	Jason Watts	David Moden

FURTHER RESOLVED, that the following be approved as non-voting members of the Board:

Orleans County Emergency Management	H. Dale Banker-Director
Orleans County Emergency Management	Justin Niederhofer-Deputy Director
Orleans 2 Deputy Coordinator	Francis Gaylord
Orleans 3 Deputy Coordinator	Gerald Bentley
Orleans 4 Deputy Coordinator	David Hydock
Orleans 5 Fire Investigator	David Clary
Orleans 7 Fire Investigator	Cole Hardenbrook
Orleans 8 Fire Investigator	Steven Cooley
Chairman of the Legislature	Lynne M. Johnson
Vice Chairman of the Legislature	William Eick
Public Safety Chair-Legislature	Merle "Skip" Draper
Orleans County Sheriff	Christopher Bourke
NYS OFPC	Rachel Ford-FPS

Moved, Draper; second,

RESOLUTION NO. 90-222

APPROVING 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, 2022 through December 31, 2022 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. 91-222

APPROVING AGREEMENT FOR ASSIGNED COUNSEL ADMINISTRATOR WITH JAMES P. PUNCH

RESOLVED, that, pursuant to Resolution No. 431-1020, the Assigned Counsel Plan (ACP) provides for an Administrator for the Plan; and be it

FURTHER RESOLVED, that, on December 1, 2020, the Orleans County Bar Association voted and approved the recommendation of the Assigned Counsel Advisory Committee that James P. Punch, Esq., be nominated as the Administrator of the ACP; and be it

FURTHER RESOLVED, that the Chairman of the Legislature is authorized to execute, on behalf of the County, a contract for the Assigned Counsel Administrator with James P. Punch, Esq., for providing all services as Assigned Counsel Administrator, at an annual cost of \$35,000.00; and said amount to be paid in quarterly installments of \$8,750.00, upon submission of a County Voucher at the end of each quarter, effective January 1, 2022 through December 31, 2022, all payments subject to the availability of state grant funds for this contract.

Moved, Draper; second,

RESOLUTION NO. 92-222

APPROVING AGREEMENTS BETWEEN PUBLIC DEFENDER AND JOSE AVILA AND KEN SPOHR FOR INVESTIGATIVE SERVICES

WHEREAS, the Public Defender's Office requires the use of investigative services for various cases. At times, there may be conflicts between the existing investigator and the client or other individuals involved in a specific matter. As such, it is necessary to have more than one investigator available to the Public Defender's Office; now be it

RESOLVED, that this Legislature approves an Agreement between the Public Defender and José Avila, to provide Investigative Services at the rate of \$55/hour; effective January 1, 2022 through December 31, 2022; and to be paid from grant funds through Indigent Legal Services through #C2ND634, and any subsequent ILS funding; and be it

FURTHER RESOLVED, that this Legislature approves an Agreement between the Public Defender and Ken Spohr, to provide Investigative Services at the rate of \$55/hour; effective March 1, 2022 through December 31, 2022; and to be paid from grant funds through Indigent Legal Services through #C2ND634, and any subsequent ILS funding; and be it

FURTHER RESOLVED, that the total annual combined cost of the investigators shall not exceed \$20,000.

Moved, Draper; second,

RESOLUTION NO. 93-222

APPROVING EXTENSION OF AGREEMENT BETWEEN PUBLIC DEFENDER AND NEW YORK OFFICE OF INDIGENT LEGAL SERVICES

WHEREAS, Resolution No. 428-1019 approved an agreement between the Orleans County Public Defender and NYS Office of Indigent Legal Services, A.E. Smith Building 11th Floor, 80 Swan Street, Albany, New York 12210 (Contract #800034) for Attorney Pay, Parole Revocation, Expert Services, Legal Services for Appeals through Legal Aid Bureau of Buffalo, Interpreter Services, and Computer Technology in the amount of \$156,438.00; and

WHEREAS, said agreement was extended by Resolution #325-721; now be it

RESOLVED, that this Legislature approves an extension of an agreement between the Orleans County Public Defender and NYS Office of Indigent Legal Services, A.E. Smith Building, 11th Floor, 80 South Swan St, Albany, NY 12210 (Contract #800034), to continue to provide funds in the amount of \$156,438.00, effective for an extension term of January 1, 2022 through December 31, 2022.

Moved, Draper; second,

RESOLUTION NO. 94-222

APPROVING EXTENSION OF AGREEMENT BETWEEN PUBLIC DEFENDER AND NEW YORK OFFICE OF INDIGENT LEGAL SERVICES

WHEREAS, Resolution No. 224-520 approved an agreement between the Orleans County Public Defender and NYS Office of Indigent Legal Services, A.E., Smith Building 11th Floor, 80 Swan Street, Albany, New York 12210 (Contract #C900034) for one-half of the salary for the 3rd Assistant Public Defender in the total amount of \$78,219.00; now be it

RESOLVED, that this Legislature approves an extension of an agreement between the Orleans County Public Defender and NYS Office of Indigent Legal Services, A.E. Smith Building, 11th Floor, 80 South Swan St, Albany, NY 12210 (Contract #C900034), to continue to provide funds in the total amount of \$78,219.00, effective for an extension term of January 1, 2022 through December 31, 2022.

Moved, Draper; second,

RESOLUTION NO. 95-222

APPROVING AGREEMENT BETWEEN PUBLIC DEFENDER AND INDIGENT LEGAL SERVICES

RESOLVED, that this Legislature approves the following Agreements 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 #11- Contract #C110034 for the continuation of Pay Parity and associated fringe, Parole revocation Attorney stipend and associated fringe, Legal Aid Bureau of Buffalo for

appellate services, and computer support services, in the total amount of \$156,438.00 (\$52,146/year), effective for a term of January 1, 2021, through December 31, 2023.

Moved, Draper; second,

RESOLUTION NO. 96-222

AUTHORIZING PURCHASE WITH THE USE OF GRANT FUNDS FOR THE PUBLIC DEFENDER'S OFFICE

WHEREAS, funds from the Hurrell-Harring grant (CSTWIDEHH33) were previously allocated for the purchase of equipment; now be it

RESOLVED, that this Legislature authorizes the Public Defender's Office to purchase 2 SurfacePro tablets with keyboards from CDW-G in the amount of \$3,528.00, to be paid with funds from the Hurrell-Harring grant (CSTWIDEHH33), no County cost; and be it

FURTHER RESOLVED, that this Legislature authorizes the Public Defender's Office to purchase laptops, monitors and docking stations from Dell Technologies in the amount of \$9,004.25 to be paid with funds from the Hurrell-Harring grant (CSTWIDEHH33), no County cost.

Moved, Draper; second,

RESOLUTION NO. 97-222

AUTHORIZING PURCHASE WITH THE USE OF GRANT FUNDS FOR THE PUBLIC DEFENDER'S OFFICE

WHEREAS, various books maintained in the Public Defender's Office are in need of replacement, and additional books are required; and

WHEREAS, various books are required for use by the Assigned Counsel Panel attorneys; and

WHEREAS, the amount of any balance from Public Defender Budget 01.1170.0458 shall first be applied to the cost of the Public Defender book purchases; and

WHEREAS, funds from the Hurrell-Harring grant (CSTWIDEHH33) were previously allocated for the purchase of said books; now be it

RESOLVED, that this Legislature authorizes the Public Defender's Office to purchase books from Thomas Reuter in the total amount of \$17,171.70 (PD- \$4,222.40/ACP- \$12,949.30), no County cost; and be it

FURTHER RESOLVED, that this Legislature authorizes the Public Defender's Office to purchase books from LexisNexis-Matthew Bender in the total amount of \$5,077.75 (PD- \$853.82/ACP- \$4,223.93), no County cost.

Moved, Draper; second,

RESOLUTION NO. 98-222

APPROVING AGREEMENT BETWEEN 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, 2022 through December 31, 2022 allowing receipt of seized funds on Federal forfeitures; and be it

FURTHER RESOLVED, that this Legislative body does hereby authorize the Chairman of the Legislature to execute this agreement as approved by the Orleans County Attorney and the Chief Administrative Officer.

Moved, Draper; second,

RESOLUTION NO. 99-222

AUTHORIZING TRANSFER OF FUNDS IN THE PROBATION BUDGET

RESOLVED, that this Legislature authorizes the Orleans County Treasurer to transfer monies in the Probation Department budget to cover the cost of necessary office furniture and gun exchange.

FROM:

01.3140.0443	Repair to Office Equipment	\$200.00
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TO:

01.3140.0210	Furniture	\$128.00
01.3140.0251	Safety	\$ 72.00

Moved, Draper; second,

RESOLUTION NO. 100-222

AUTHORIZING AGREEMENT FOR SHARED SERVICES BETWEEN ORLEANS COUNTY MENTAL HEALTH DEPARTMENT AND GENESEE COUNTY

RESOLVED, whereas this Legislature does hereby authorize an agreement between the Orleans County Department of Mental Health and Genesee for the purpose of shared services and staffing, specific to the job title of Medicaid Records Technician. Agreement is effective from January 1, 2022 through December 31, 2022.

Moved, Allport; second,

RESOLUTION NO. 101-222

AUTHORIZING TREASURER TO TRANSFER FUNDS WITHIN THE MENTAL HEALTH BUDGET

RESOLVED, that the Treasurer is authorized to transfer monies within the Mental Health budget to purchase new chairs as follows:

FROM:

01.4310.0418	Other Contractual	\$747.96
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TO:

01.4310.0210	Furniture & Furnishings	\$747.96
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Moved, Allport; second,

RESOLUTION NO. 102-222

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES

RESOLVED, that this legislature does hereby approve the following agreements between the Orleans County Public Health and the following agencies:

United Memorial Medical Center (UMMC) STI Testing, 127 North Street, Batavia, NY 14020. Contract to provide sexually transmitted infections testing to the uninsured or under insured residents of Orleans County, per fee schedule and to be billed at the prevailing Medicaid rate, reimbursed from State Aide Grants. Term to run January 1, 2021 through December 31, 2025. No County Cost.

NYSDOH Lead Poisoning Prevention/ DOH01-C37005GG, Corning Tower, ESP, Albany, NY 12237. To identify lead hazards in the community prior to children becoming poisoned by lead and increase public knowledge and awareness of lead poisoning and how it impacts our community. The health department will also provide timely and appropriate follow-up with children of elevated lead levels and seek appropriate services for these children. Grant funding amount \$52,200.00 per year for a total of \$261,000.00. Term to run October 1, 2021 through September 30, 2026.

Moved, Allport; second,

RESOLUTION NO. 103-222

AUTHORIZING ABOLISHING, CREATING AND FILLING A POSITION IN THE PUBLIC HEALTH DEPARTMENT

RESOLVED, that this Legislature does hereby authorize the abolishing of a full-time Public Health Nurse (4010.28) in the Public Health Department at Grade 21 of the CSEA Salary Schedule, and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the creation of a full-time Epidemiologist position in the Public Health Department at Grade 21 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this newly created position will be a 37.5 hour position to align with the established hours of the health department; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of the newly created vacant Epidemiologist position, effective February 24, 2022; and be it

FURTHER RESOLVED, that this Legislature, pending the filling of the newly created full-time Public Health Epidemiologist position, authorizes the filling of subsequent vacancies in the Public Health Department due to promotions per the CSEA Salary Schedule, effective February 24, 2022.

Moved, Allport; second,

RESOLUTION NO. 104-222

AUTHORIZING OUT OF STATE TRAVEL FOR HEALTH DEPARTMENT EMPLOYEE

RESOLVED, that this Legislature does hereby authorize out of state travel by Paul Pettit Public Health Director, to travel to National Harbor Washington DC – Metro Area. For Behavioral Health Training Institute National Conference; Participation in the Health Officials Behavioral Health Institute – Focus on Public Health issues; Opioids & Suicide related topics. To travel to National Harbor Washington DC – Metro Area from April 8, 2022 to April 13, 2022. Costs covered by State Aid/Behavioral Health Training Institute. No County Cost.

Moved, Allport; second,

RESOLUTION NO. 105-222

AUTHORIZING OUT OF STATE TRAVEL FOR HEALTH DEPARTMENT EMPLOYEE

RESOLVED, that this Legislature does hereby authorize out of state travel by Paul Pettit Public Health Director, to travel to Boston Massachusetts. For Negotiation Strategies: Building Agreements across Boundaries; to develop negotiation skills for use with Public Health programs and services with State and other partners. Originally planned participation in 2019; in person sessions – Delayed due to COVID-19. To travel to Boston MA Double Tree Hotel, Harvard Business School. From May 1, 2022 to May 6, 2022. Costs covered by State Aid/Kresge Grant. No County Cost.

Moved, Allport; second,

RESOLUTION NO. 106-222

APPROVING AGREEMENT WITH DEPARTMENT OF PUBLIC WORKS AND CUSTOM CARPET CENTERS

RESOLVED, that this Legislature does hereby approve an agreement with the Department of Public Works and Custom Carpet Centers, 2847 Southwestern Blvd, Orchard Park, NY 14127 to provide labor and materials to install carpet at the Public Defender's Office at a cost of \$6,891.80, and is 100% reimbursable through the CSTWIDEHH33 Grant. Pricing is through the OMNIA Partners Contract #2020002150 Milliken. Agreement effective as soon as County gives Notice to Proceed.

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,

RESOLUTION NO. 107-222

APPROVING AGREEMENT BETWEEN THE ORLEANS COUNTY DEPARTMENT OF PUBLIC WORKS AND EMERGENCY POWER SYSTEMS

RESOLVED, that this Legislature approves a renewal agreement with Emergency Power Systems, LLC, 300 Mile Crossing Boulevard, Rochester, NY 14624 for the purpose of maintaining the emergency generator systems at thirteen (13) locations throughout the County at a cost of \$7,850.00 per year; to be paid out of the Buildings and Grounds budget account 01.1620.0447; and be it

FURTHER RESOLVED, that any additional repairs not listed in the contract will be billed at an additional cost to get the equipment back in working condition; additional repairs to be paid out of budget account 01.1620.0403; contract period: March 1, 2022 through February 28, 2025; 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, Morgan; second,

RESOLUTION NO. 108-222

APPROVING AGREEMENT BETWEEN THE DEPARTMENT OF PUBLIC WORKS AND TRACKER SOFTWARE CORPORATION, INC.

RESOLVED, that this Legislature does hereby approve an agreement with the Department of Public Works and Tracker Software Corporation, Inc. dba PubWorks, PO Box 6502, Snowmass Village, CO 81615 to provide PubWorks application software and services at a cost not to exceed \$19,075.00, Contract period: March 1, 2022 through February 28, 2023; to be paid out of the 04.5130.0470 Machinery budget 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,

RESOLUTION NO. 109-222

APPROVING AGREEMENTS BETWEEN THE COUNTY AND TOWNS FOR SNOW AND ICE CONTROL AND MOWING OF COUNTY ROADS

RESOLVED, that this Legislature approves the agreements between the County and the (10) Towns within the County providing for snow and ice control on County roads from January 1, 2022 through December 31, 2026; the County agrees to pay the towns for each mile of County roads sanded and for each mile plowed as follows:

2022 season at \$6,239.54, additional years based on Consumer Price Index for Northeast Region for all urban consumers; and be it

FURTHER RESOLVED, that the agreements between the County and Towns for the mowing of County roads by the Towns are approved at a cost per mile as follows:

2022 season at \$655.97, additional years based on Consumer Price Index for Northeast Region for all urban consumers; and be it

FURTHER RESOLVED, that the payments be made for Snow and Ice Control will be made in June of every year and Mowing will be paid in three separate payments in June, July and August every year submitted at a rate of 1/3 of the seasonal cost per mile; and be it

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

Moved, Morgan; second,

RESOLUTION NO. 110-222

APPROVING SUPPLEMENTAL NO. 1 AGREEMENT WITH CHA CONSULTING INC. FOR PROFESSIONAL SERVICES FOR YATES CARLTON TOWNLINE ROAD BRIDGE REPLACEMENT PROJECT

RESOLVED, that this Legislature does hereby approve a Supplemental No. 1 agreement with CHA Consulting, Inc., 11 Centre Park, Suite 203, Rochester, New York 14614 to add Additional design and resident project representation for this project at a cost not to exceed \$184,000.00; to be paid out of the Capital bridge account 03.5120.0470.2286. Project is 80% reimbursable through federal funds; County Cost \$36,800.00. The project location is in the Town of Carlton, BIN: 3318800, NYS DOT Contract #D040103, PIN 4OR0.04; 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, Morgan; second,

RESOLUTION NO. 111-222

AUTHORIZING PAYMENT FROM THE DEPARTMENT OF PUBLIC WORKS BUDGET

RESOLVED, that this Legislature does hereby authorize payment in the amount of \$5,025.05 to Dude Solutions, Inc., P.O. Box 936580, Atlanta, Georgia 31193-6580 for a work order software system; (Sourcewell Contract #090320-SDI) to be paid from Buildings and Grounds Division budget account 01.1620.0432.

Moved, Morgan; second,

RESOLUTION NO. 112-222

AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO PURCHASE A NEW JOHN DEERE WHEEL LOADER

RESOLVED, that this Legislature does hereby approve the purchase of a John Deere 544P Wheel Loader through Five Star Equipment, Inc., 60 Paul Road, Rochester, NY 14624. The Loader is to be purchased under the NYS OGS PCS69403 at cost not to exceed \$218,160.00 and is reimbursable through CHIPS with a County cost of \$00; to be paid from the Highway Division Machinery budget account #04.5130.0270.

Moved, Morgan; second,

RESOLUTION NO. 113-222

APPROVING AGREEMENT BETWEEN THE DEPARTMENT OF PUBLIC WORKS AND TRANE AND AUTHORIZING COUNTY TREASURER TO TRANSFER FUNDS IN THE BUILDING AND GROUNDS DIVISION BUDGET

RESOLVED, that this Legislature hereby approves an agreement with Trane, 45 Earhart Drive Suite 103, Buffalo, New York 14221 to replace (2) boilers at the County Office Building North location at a cost of \$109,372.00, pricing through National IPA Omnia Partners contract #15JLP023, to be paid out of the Buildings and Grounds Division budget 01.1620.0470; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to transfer funds from the contingency fund as follows:

FROM:

01.1990.0435	Contingency Fund	\$109,372.00
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TO:

01.1620.0470	Capital Construction Project	\$109,372.00
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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, Morgan; second,

RESOLUTION NO. 114-222

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

RESOLVED, that this Legislature does hereby approve an agreement with the Department of Public Works and Labella Associates, P.C., 300 State Street, Suite 201, Rochester, NY 14614 to perform Professional Design Services to replace existing Fuel Island and surrounding equipment located at 225 West Academy Street, Albion, NY 14411. LaBella Associates, P.C. will perform these services under the Term Agreement for Professional Architectural and Engineering Services, Resolution no. 47-217; and be it

FURTHER RESOLVED, this agreement is effective as soon as the County gives notice to proceed at a cost not to exceed \$165,000.00

Moved, Morgan; second,

RESOLUTION NO. 115-222

AUTHORIZING COUNTY TREASURER TO SET UP NEW MONEY IN THE DEPARTMENT OF PUBLIC WORKS

RESOLVED, that the County Treasurer is authorized to set up new money in the Department of Public Works budget due to cover the cost of an equipment purchase due to an increase in funding reimbursement from the NYSDOT Consolidated Local Street and Highway Improvement Program (CHIPS), as follows:

REVENUE:

04.5130.3501	CHIPS Revenue Account	\$168,991.00
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APPROPRIATION:

04.5130.0270	Machinery Capital Equipment	\$168,991.00
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Moved, Morgan; second,

RESOLUTION NO. 116-222

AUTHORIZING COUNTY TREASURER TO SET UP FUNDS FROM MISCELLANEOUS RESERVE INTO THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, Resolution No. 42-122 approved an extension agreement with Labella to provide professional services for the West County House Road Drainage project; and

WHEREAS, Resolution No. 385-821 approved an agreement with C&S Engineers in 2021 to provide Preliminary engineering, Design and ROW acquisition services for the Route 237 over Bald Eagle Creek Bridge project; and

WHEREAS, Resolution No. 101-220 approved an agreement with CHA Consulting, Inc in 2021 to provide Preliminary Engineering, Design and ROW Incidentals for the Yates Carlton Townline Road over Johnson Creek Bridge; and now be it

RESOLVED, that due to project delays, this Legislature authorizes the County Treasurer to set up funds from Miscellaneous Reserve into the 2022 Department of Public Works Budget as follows:

FROM:

Miscellaneous Reserve		\$121,747.63
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TO:

03.5120.0470	Bridge Capital Project	\$10,472.50
03.5120.0470.2287	Bridge Capital Project (Route 237)	\$87,931.57
03.5120.0470.2286	Bridge Capital Project (YCTL)	\$23,343.56

Moved, Morgan; second,

RESOLUTION NO. 117-222

AUTHORIZING COUNTY TREASURER TO SET UP FUNDS FROM MISCELLANEOUS RESERVE INTO THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, Resolution No. 340-721 approved an agreement with Trane in 2021 to replace the Chiller at the County Office Building North Location Contract #DPW9-2021; and

WHEREAS, Resolution No. 286-621 approved an agreement with Suburban Electric in 2021 to provide electrical services to the Elevator at the County Office Building North Location Contract #DPW5-2021; and

WHEREAS, Resolution No. 594-1221 approved an agreement with Suburban Electric in 2021 to remove existing generator and transfer switch and replace with newly supplied one at the Orleans County Emergency Management Office Contract #DPW18-2021; and

WHEREAS, Resolution No. 507-1121 approved an agreement with Suburban Electric in 2021 to replace the transfer switch at the Orleans County Public Safety Building Contract #DPW16-2021; and now be it

RESOLVED, that due to project delays, this Legislature authorizes the County Treasurer to set up funds from Miscellaneous Reserve into the 2022 Department of Public Works Budget as follows:

FROM:

Miscellaneous Reserve		\$349,773.61
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TO:

01.1620.0470	Capital Construction Project	\$329,624.11
01.1620.0403	Maintenance Projects	\$ 20,149.50

Moved, Morgan; second,

RESOLUTION NO. 118-222

AUTHORIZING COUNTY TREASURER TO SET UP FUNDS FROM INFRASTRUCTURE RESERVE INTO THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, Resolution 343-721 authorized the County Treasurer in 2021 to set up monies from Infrastructure Reserve to the Department of Public Works to cover the cost of materials for the Courthouse Square Sidewalks, Landscaping and Lighting improvements; and now be it

RESOLVED, that due to project delays, this Legislature authorizes the County Treasurer to set up funds from Infrastructure Reserve into the 2022 Department of Public Works Budget as follows:

FROM:

Infrastructure Reserve \$25,867.90

TO:

01.1620.0470 Capital Construction Projects \$25,867.90

Moved, Morgan; second,

RESOLUTION NO. 119-222

AUTHORIZING COUNTY TREASURER TO SET UP FUNDS FROM ARPA INTO THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, Resolution No. 508-1121 approved an agreement with Labella Associates in 2021 to design a new building and site study for the Emergency Management Building located on West County House Road; and

WHEREAS, Resolution No. 511-1121 approved an agreement with Wendel Companies in 2021 for Professional Services to design Pump station disconnect from sanitary sewer located on Orleans County property near the Villages of Orleans; and now be it

RESOLVED, that due to project delays, this Legislature authorizes the County Treasurer to set up funds from ARPA into the 2022 Department of Public Works Budget as follows:

FROM:

01.1326.4096 American Rescue Plan \$61,000.00

TO:

01.1326.0470.1620 Capital Construction Projects \$61,000.00

Moved, Morgan; second,

RESOLUTION NO. 120-222

RESOLUTION APPROVING APPOINTMENTS 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>
Thomas Keeler 12931 Pask Road Albion, NY 14411	Town of Barre	12-31-2024
Wes Miller 4159 Oak Orchard Road Albion, NY 14411	Town of Barre (Alternate)	12-31-2024
Gary Daum 1968 Marshall Road Lyndonville, NY 14098	Town of Yates	12-31-2024
Edward Urbanik 12365 Platten Road Lyndonville, NY 14098	Town of Yates (Alternate)	12-31-2024

Moved, Morgan; second,

RESOLUTION NO. 121-222

AUTHORIZING PAYMENT OF 2022 TOURISM MATCHING FUNDS TO GREATER NIAGARA REGION

WHEREAS, Resolution No. 314-721 authorized application for, and receipt of, State I Love New York Matching Funds which, in part, are committed to regional tourism promotion; now be it

RESOLVED, that this Legislature hereby authorizes payment of \$ 34,302.00 to the Greater Niagara Region, c/o Orleans County Tourism, 14016 Rte. 31 W, Albion, NY 14411, to be paid from Tourism Account 6410.468 - I Love New York Matching Funds, as it becomes available, with said amount to be expended for regional tourism promotion programs which may include the following:

- 4-County Fresh Air Adventures Promotion (GLOW)
- 5-County Greater Niagara Region Promotion
- Lake Ontario Sportfishing Promotion(LOSPC)
- Canal New York Business Alliance
- Haunted History Trail

Moved, Morgan; second,

RESOLUTION NO. 122-222

AUTHORIZING ORLEANS COUNTY TREASURER TO SET UP AMERICAN RESCUE PLAN ACT FUNDS FOR TOURISM DUE TO THE CUT BACK IN MATCHING FUNDS GRANT FOR 2022

RESOLVED, that this Legislature does hereby authorizes the Orleans County Treasurer to set up funds as follows:

REVENUE:

01.1326.4096	American Rescue Plan	\$ 6,100.00
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EXPENSE:

01.1326.0418.6410	ARP Tourism	\$ 6,100.00
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FURTHER RESOLVED, that this money will be used by the Tourism Department to promote tourism to Orleans County per the American Rescue Plan Act Fund Guidelines.

Moved, Morgan; second,

RESOLUTION NO. 123-222

ADVOCATING TO MAINTAIN SIXTY HOUR WORK WEEK FOR FARM WORKERS

WHEREAS, farmers are critical components of our regional economy and are necessary to ensure our food supplies; and

WHEREAS, from the onset of the COVID-19 pandemic Western New York farmers have stepped up and ensured their operations continued and further donated thousands of pounds of food to local food banks at a time of significant need; and

WHEREAS, farmers face tremendous problems outside of their control including climate change, land management policies, foreign market competition, livestock and crop diseases, natural disasters and cost increases of feed, fuel, equipment and labor cost; and

WHEREAS, farmers cannot pass on these increased costs as they operate in a commodities market where prices are set according to global demand; and

WHEREAS, many farmers in agriculture rely on migratory workers during the short growing season in Western New York, as they have a limited window to get the work done; and

WHEREAS, the 2019 Farm Laborers Fair Practice Act set the current sixty (60) hour work week for farm workers, but does not prohibit the wage board from arbitrarily decreasing the threshold for overtime, thereby increasing costs on local farms resulting in a negative impact to the farming community and a decrease in opportunities for migratory workers; now therefore be it

RESOLVED, that the Orleans County Legislature does hereby support farmers and migrant workers who do not want their hours reduced, and urges the promotion of New York State farming products, ensures access to markets, educates the public and connects them to their food; and be it

FURTHER RESOLVED, that the Orleans County Legislature hereby advocates to maintain farmworkers' right to overtime after sixty (60) hours of work each week in accordance to the 2019 Farm Laborers Fair Practice Act, and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall send certified copies of this resolution to the New York State Senate and Assembly, Governor Kathy Hochul, State Senator Robert Ortt, Assemblyman Steve Hawley, Assemblyman Michael Norris, New York Farm Bureau and others deemed necessary.

Moved, Morgan; second,

RESOLUTION NO. 124-222

APPROVING AGREEMENT WITH MERCY FLIGHT

RESOLVED, that this Legislature approves an agreement with Mercy Flight, Inc. for the provision of necessary air medical transfers; Orleans County to pay \$5,000.00 for the 2022 calendar year; no increase from 2021.

Moved, Morgan; second,

RESOLUTION NO. 125-222

AUTHORIZING PAYMENT FOR 2022 LEADERSHIP ORLEANS PARTICIPANTS

RESOLVED, that this Legislature authorizes payment to Leadership Orleans c/o Community Action of Genesee Orleans, 409 East State Street, Albion, NY 14411 in the amount of \$5,850 for three (3) Leadership Orleans 2022 Program Participant Tuition for Orleans County Employees to be paid from Unassigned Unallocated Expense Account 01.1910.0418 – Other Contractual Expenses.

Moved, Morgan; second,

RESOLUTION NO. 126-222

RESOLUTION IN OPPOSITION TO SENATE BILL S7855 AS IT RELATES TO THE MEMBERSHIP OF THE BOARD OF DIRECTORS OF THE WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

WHEREAS, Western Region Off-Track Betting Corporation (WROTB) is a public benefit corporation with headquarters in Batavia, New York; and

WHEREAS, WROTB is owned and operated by 15 Western New York counties and the cities of Rochester and Buffalo; and

WHEREAS, the corporation owns and operates 11 off-track betting branches, 27 E-Z Bet locations and a telephone wagering service in 15 Western New York counties, as well as Batavia Downs Gaming, a standard bred racetrack and gaming facility; and

WHEREAS, since its inception, Western OTB has generated **over \$250 million** in operating and surcharge revenues to the taxpayers of those participating municipalities; and

WHEREAS, throughout its long history of serving the 15 counties and two cities that comprise the corporation, the Board of Directors of WROTB has been comprised of one representative from each of the 17 municipalities; and

WHEREAS, in 1973, the Orleans County Board of Supervisors passed by resolution legislation that authorized and empowered Orleans County to participate in the WROTB that had recently been created by the state and signed by then Governor Nelson Rockefeller; and

WHEREAS, the 1973 legislation passed by the Orleans County Board of Supervisors was passed with the stipulation that it was “subject to permissive referendum and shall become effective in accordance with Section 24 of the Municipal Home Rule Law of the State of New York”; and

WHEREAS, New York State Senator Timothy M. Kennedy (D – Buffalo) has recently proposed Senate Bill S7855, an act to “amend the racing, pari-mutuel wagering and breeding law, in relation to the membership of the Board of Directors of the Western Regional Off-Track Betting Corporation”; and

WHEREAS, Sen. Kennedy’s proposal calls for revising the current fair and equitable representation of the Board of Directors to three members to represent the counties of Monroe, Wyoming, and Orleans; a single member to represent the counties of Chautauqua, Cayuga, Genesee, Livingston, Schuyler, and Seneca; four members to represent Erie County; one member to represent Niagara County, a lone member to represent the counties of Oswego, Cattaraugus, and Wayne; one member to represent the City of Buffalo, one member to represent the City of Rochester, one member appointed by the governor, one member appointed by the temporary president of the senate, and one member appointed by the speaker of the assembly; and

WHEREAS, under Senator Kennedy’s proposal, Steuben County is not provided any representation on the WROTB Board of Director even though they have been a member of the WROTB since 1973; and

WHEREAS, Sen. Kennedy’s bill states that its intent is to “provide more equal representation of the people of the area who benefit from proceeds from said corporation”; and

WHEREAS, this legislation will in fact have the opposite effect of the stated intention in the bill, as it will decimate the balanced representation formula determined previously by both the state legislature and governor as equitable and impartial, with a clear and explicit intent of providing each municipality that comprises the corporation an equal voice in WROTB matters; and

WHEREAS, the performance and accomplishments of the current WROTB Board and leadership cannot be discounted when considering this drastic and overreaching legislation, including, but not limited to: the acquisition of an 84-room hotel on the grounds of Batavia Downs that has drawn rave reviews, countless fundraising events for charitable organizations that have benefitted thousands of families across western New York, including Make-A-Wish,

the Batavia Police Department K-9 Unit, the Genesee County K-9 Unit, GLOW YMCA, Food Bank of Western New York, and the Breast Cancer Coalition of Rochester; and

WHEREAS, in 2021, Batavia Downs once again shattered attendance and wager records, with more than 625,000 attendees wagering nearly \$700 million this past year alone, leading to record earnings distributions for the 17 municipalities that have come to rely on their WROTB distributions to balance their local budgets while reducing the property tax burden for businesses and homeowners; and

WHEREAS, the current WROTB Board and leadership have successfully led the corporation through in incredibly difficult period in history, the Covid-19 pandemic, that has ravaged similar entities across the state and the country; and

WHEREAS, WROTB currently has 385 full- and part-time employees with a payroll of \$12.5 million; individuals and families from every corner of our region, and all whom could be negatively impacted by this drastic proposal; now be it

RESOLVED, Orleans County Legislatures does vehemently oppose Senate Bill S7855, as it will cause irreparable harm to Orleans County, its interests in WROTB, the economic interests of Orleans County, and the taxpayers of this county; and be it further

RESOLVED, that the Orleans County Legislature does hereby call upon members of the New York State Senate to reject S7855; and be it further

RESOLVED, that a copy of this resolution be sent to Governor, Senate and Assembly.

Moved, Draper; second,

RESOLUTION NO. 127-222

APPROVING AGREEMENTS WITH THE DEPARTMENT OF SOCIAL SERVICES

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

Orleans County Computer Services, Albion, NY for the provision of computer programming, maintenance, and consultation services; to be effective January 1, 2022 through December 31, 2022. At a cost of \$66,314. County cost \$23,210.

Villa of Hope Youth and Family Services, Rochester, NY for the provision residential foster care services including Raise the Age; to be effective January 1, 2022 through December 31, 2022, at per diem rates as established by the State, not to exceed \$802,000. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

Alexandra Ford on behalf of The Laughing Survivor, Ltd. Kamloops, British Columbia BC V2B 8N8, will present at the Lilypad Event as a sex trafficking survivor. Information will be provided that is age appropriate to youth aged 12 years and up. To be effective January 20, 2022 through December 31, 2022. A separate presentation will be provided to adults at the same

event. 100% Reimbursement through Safe Harbour Grant. Each event costs \$2,750.00 (2 events) Total: \$5,500.00.

Dr. Charles Patrick Ewing, J.D., PhD., Naples, Florida, for the provision of complete psychological evaluations, assessments and determination of parental fitness. To be effective February 23, 2022 through February 23, 2025. The contractor shall be paid \$200.00/hr for a maximum of 20/hrs. per evaluation including any witness fees and any potential testimony. Not to exceed \$4,000.00.

Sarah Hedden, Esq. 175 Walnut Street, Suite 1, Lockport, NY 14094, for legal and other services pertaining to KinGAP Services by said firm for Orleans County Department of Social Services. To be effective April 27, 2022 through April 26, 2023. Payment will be made as a one-time payment after all receipts are received, and the amount for the payment may not exceed the maximum level set by the NYS Office of Children and Family Service (OCFS) of \$2,000.00 per child.

Moved, Miller; second,

RESOLUTION NO. 128-222

AUTHORIZING PURCHASE IN THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, that this legislature does hereby authorize the Orleans County Department of Social Services, to purchase three Dell Latitude 5521 laptops and accessories for the Safe Harbour program from Dell Financial Services in the amount of \$5,935.60 to be paid from 6010.0220 at no local cost.

Moved, Miller; second,

RESOLUTION NO. 129-222

APPROVING A RENEWAL AGREEMENT BETWEEN OFFICE FOR THE AGING DEPARTMENT AND LITURGICAL PUBLICATIONS INC.

RESOLVED, that this Legislature approves the agreement between the Office for the Aging Department and Liturgical Publications Inc., 5 Progress Drive, Cromhill, CT 06416 to provide publication services for the Office for the Aging monthly newsletter from March 1, 2022 to February 28, 2025 at a cost of \$0. Advertisements in the newsletter will pay for the cost of the printing of the publication. County cost \$0.

Moved, Miller; second,

RESOLUTION NO. 130-222

AUTHORIZING THE ORLEANS COUNTY JOB DEVELOPMENT AGENCY TO PARTICIPATE IN ITS ROLE AS PART OF THE REGION'S WORKFORCE DEVELOPMENT NETWORK IN MONROE COUNTY'S "GOOD JOBS FINGER LAKES" GRANT APPLICATION FOR FUNDING THROUGH THE ARPA GOOD JOBS CHALLENGE

WHEREAS, the Orleans County Job Development Agency is a Service Provider in the GLOW Workforce Development Area, one of three Workforce Development Areas within the Finger Lakes Region; and

WHEREAS, funding is available through the American Rescue Plan Act's Good Jobs Challenge, which aims to get Americans back to work by building and strengthening systems and partnerships that bring together employers who have hiring needs with other key entities to train workers with in-demand skills that lead to good-paying jobs; and

WHEREAS, the "Good Jobs Finger Lakes" partnership seeks to train 2,050 participants in the Finger Lakes region of New York, including the 9 counties surrounding Rochester, for good jobs in 3 industry sectors: Advanced Manufacturing (AM), Healthcare & Life Sciences (HC), and Skilled Trades (ST). The partnership has Monroe County as its System Lead, with its workforce development arm RochesterWorks, Inc. as co-applicant and fiscal agent for the grant. Monroe County and RochesterWorks have the benefit of an established workforce development system with three solid Industry Backbone Organizations: Rochester Technology and Manufacturing Association (AM), Finger Lakes Performing Provider System, with support from industry convener Common Ground Health (HC), and Construction Cooperation and Education Trust dba UNiCON (ST). This project will use \$21 million in grant funding and include both Program Design and Program Implementation phases; therefore be it

RESOLVED, that the Orleans County Legislature authorizes the Orleans County Job Development Agency to participate in its role as part of the region's workforce development network in Monroe County's "Good Jobs Finger Lakes" grant application, leveraging the region's collective assets in its proposal and aligning the efforts of the three industry sectors to build and strengthen the workforce system; and be it

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

Moved, Miller; second,

RESOLUTION NO. 131-222

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 10 Desktop computers and 48 Dell Laptop Computers (boxes only) to be added to the Dell Master Lease as # 810-6457612-018 for the various Departments in Orleans County from May 2, 2022 through May 1, 2026, the first payment of \$23,741.56 is from Computer Services 01.1680.0250 – Other Equipment and the following three (3) annual payments of \$23,741.56 with a \$1 buyout option at the end, to be paid from various department 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 and Chief Administrative Officer.

Moved, Draper; second,

RESOLUTION NO. 132-222

AUTHORIZING PURCHASE FOR COMPUTER SERVICES FOR THE 2022 EBIZDOCS PROJECT

WHEREAS, this Legislature is aware of the newest requirements surrounding discovery in the Public Safety sphere and the need to provide a repository for multiple mediums of litigation materials to include documents, video footage, audio files, body cam footage when it becomes available, now be it

RESOLVED, that this Legislature authorizes the purchase of one (1) large format server from DELL Technologies INC., PO Box 6547, Carol Stream, IL 60197-6547 for the Computer Services Capital Project eBizDocs Project in the amount of \$14,000.00 (Quote # 3000111871402.1) to be paid from Computer Services Account 01.1680.0270-Capital Equipment, which will provide the initial server storage needed to start this project and provide fault tolerance and user accessibility to the information contained therein. Pricing under NYS OGS Contract PM20820/1000041162 Dell NYS Umbrella Contract.

Moved, Draper; second,

RESOLUTION NO. 133-222

AUTHORIZING PURCHASE FOR COMPUTER SERVICES FOR THE PLANNING DEPARTMENT'S GEOGRAPHIC INFORMATION SYSTEM PROJECT AND THE DEPARTMENT OF PUBLIC WORKS DIGITAL SIGNAGE PROJECT

WHEREAS, that this Legislature is aware of the need to retain image data for the Planning Department's Geographical Information System project and the need to begin retaining data for the Department of Public Works Digital Signage project and of the desire of these two Orleans County departments to begin to collaborate in data retention and usability, now be it

RESOLVED, that this Legislature authorizes the purchase of two (2) large format servers from DELL Technologies INC., PO Box 6547, Carol Stream, IL 60197-6547 for the Computer Services GIS & DPW Capital Project in the amount of \$20,760.00 (Quote # 3000112233316.1) to be paid from Computer Services Account A1680.270 — Capital Equipment which will provide both the archival repository for scanned images and maps for the Planning Department and Engineering Drawings and Signage images for the Department of Public Works and a working network directory for current and ongoing operational and production work for both departments. Pricing under NYS OGS Contract PM20820/1000041162 Dell NYS Umbrella Contract.

Moved, Draper; second,

RESOLUTION NO. 134-222

AUTHORIZING TREASURER TO SET UP FUNDS FROM RESERVE TO COMPUTER SERVICES EQUIPMENT ACCOUNTS AND TELEPHONE ACCOUNT

WHEREAS, unspent funds in the amount of \$34,204.26 from the 2021 Computer Services Budget Accounts have been reverted to the County's Reserves; and

WHEREAS, said funds are needed for certain planned equipment purchases and fiber circuit installation, therefore be it;

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

FROM:

Miscellaneous Reserve	\$ 2,360.00
Building & Equipment Reserve	\$31,844.26

TO:

01.1680.0421	Telephone/Internet	\$ 2,360.00
01.1680.0250	Other Equipment	\$14,776.47
01.1680.0270	Capital Equipment	\$17,067.79

Moved, Draper; second,

RESOLUTION NO. 135-222

AMENDING RESOLUTION NO. 547-1221 THAT AUTHORIZED SALARY SCHEDULES FOR MANAGEMENT, CERTAIN PART-TIME, AND UNCLASSIFIED EMPLOYEES

WHEREAS, Resolution No 547-1221 set additional salaries, effective January 1, 2022, as authorized for management, certain part-time and unclassified employees; now be it

RESOLVED, that this Legislature amends Resolution No. 547-1221 as follows:

<u>Hourly (Full Time Employees):</u>	<u>2/13/22-12/31/22:</u>
Director of Emergency Management	\$19.09

FURTHER RESOLVED, that the Director of Emergency Management salary is set at a maximum of \$35,000.00 per year.

Moved, Draper; second,

RESOLUTION NO. 136-222

SETTING DATE AND TERMS FOR AUCTION OF COUNTY-OWNED TAX PROPERTIES NOTWITHSTANDING ANY RESOLUTION HERETOFORE

RESOLVED, that the following terms of auction for County-owned property for the auction to be held Wednesday, June 22, 2022 at 10:00 a.m. at the Orleans County Fairgrounds, 12690 Route 31, Albion, New York, be approved by this Legislature as follows:

TERMS OF AUCTION
ORLEANS COUNTY TAX PROPERTY AUCTION
ORLEANS COUNTY FAIRGROUNDS
12690 ROUTE 31
ALBION, NEW YORK
June 22, 2022 10:00 AM

This is the sale at public auction of various parcels of real property, which have been conveyed in the County of Orleans by final judgment under the so-called In Rem Tax Foreclosure Proceedings. This sale is ordered by various resolutions of the Orleans County Legislature and is in accordance with the appropriate provisions of the Real Property Tax Law. This sale and sale of each and every parcel herein is upon the following terms:

TERMS AND CONDITIONS OF THE AUCTION

INTERNET TERMS (in addition to standard terms below):

1. Registration. All bidders are required to register and provide suitable I.D. (photo copy acceptable) prior to the auction, all registrations will take place ONLINE. The Internet Bidding Packet (IBP) will be emailed via electronic link once bidder registers for the auction at NYSAuctions.com. A sample IBP can be found at the top of the auction web listing approximately 30 days prior to the auction. Auctioneer reserves the right to decline registration if I.D. produced is not sufficient. A copy of the bidder's valid driver's license or passport must be provided to the auctioneer. NO EXCEPTIONS.
2. Bidder approval for internet. In order to bid online, you will need to complete the Internet Bidding Packet (IBP) that was emailed to you via electronic link. A sample IBP can be found at the top of the auction web listing approximately 30 days prior to the auction. Complete and return to the office of the auctioneer/broker no later than 4:00PM on Monday, June 20, 2022, to be approved to bid online for this auction. NO EXCEPTIONS.
3. No Recourse. Internet bidding through our Provider is offered as a service to our customers, and bidders shall not hold Orleans County and/or Absolute Auctions & Realty, Inc., responsible for any failure due to the loss of the internet connection supplied to Absolute Auctions & Realty, Inc., by the Provider.

STANDARD TERMS:

1. Orleans County acquired title to these properties in accordance with Article 11 of the Real Property Tax Law of the State of New York, and all known rights of redemption under said provisions of law have been extinguished by the tax sale proceedings; and/or as a result of forfeiture.
2. For purposes of these Terms and Conditions, parcel shall be defined as a section, block and lot number.
3. All real property, including any buildings thereon, is sold "AS IS" and without any representation or warranty whatsoever as to the condition or title, and subject to: (a) any state of facts an accurate survey or personal inspection of the premises would disclose; (b) applicable zoning/land use/building regulations; (c) water assessments are the responsibility of the purchaser, whether they are received or not; (d) the levied 2022 Town and County tax bill

including any relieved taxes, any Village taxes relieved after May 31, 2022, the 2022/2023 school tax the 2023 Town and County taxes, penalties and interest and charges levied against the property subsequent to the auction, in addition to any other applicable charges, (including, but not limited to, omitted and pro rata taxes, demolition charges, interest and penalties); and (e) for purposes of taxation, the purchaser shall be deemed to be the owner prior to the next applicable taxable status date after the public auction.

4. The purchaser shall be solely responsible for the payment of: the levied 2022 Town and County tax bill including any relieved taxes, any Village taxes levied after May 31, 2022, the 2022/2023 school taxes, the 2023 Town and County taxes, penalties and interest and charges levied against the property subsequent to the auction.

5. All purchasers are advised to personally inspect the premises and to examine title to the premises prior to the date of the auction. Upon delivery of the quitclaim deed by the County of Orleans to the successful purchaser, any and all claims with respect to title to the premises are merged in the deed and do not survive.

6. No personal property is included in the sale of any of the parcels owned by Orleans County, unless the former owner or occupant has abandoned same. The disposition of any personal property located on any parcel sold shall be the sole responsibility of the successful purchaser following the closing of sale.

7. All informational tools, such as slides, tax maps, deeds, photos, auction listings, auction catalogs, auction signs, property record cards, etc., are for identification purposes only and are neither a guarantee nor a warranty as to location, dimensions, parcel use and/or size, or anything else. **THE COUNTY, THE AUCTIONEER, AND THE AUCTION SERVICE MAKE NO WARRANTY EXPRESSED OR IMPLIED IN CONNECTION WITH THIS SALE.**

8. The County of Orleans reserves the right, in its sole discretion, to withdraw from the auction any of the properties listed on the schedule of real property.

9. Notice is hereby given that the premises being sold may lie within an Agricultural District as designated upon the tax map. It is the sole responsibility of any bidder to ascertain which specific parcel(s) is so designated and sold subject to the provisions of law applicable thereto.

10. **ALL REGISTRATION PAPERWORK MUST BE COMPLETED ONLINE VIA LINK SENT TO REGISTERED BIDDERS.** All bidders are required to register and provide suitable personal identification, such as a driver's license or passport, at registration. Auctioneer reserves the right to decline registration if identification is not sufficient. Individuals other than lawyers, acting on behalf of others (including spouses), not in attendance at the auction, must produce a "Power of Attorney" duly executed and notarized. Incorporated entities (Inc., Corp., LLC., etc.) are required to provide AT REGISTRATION: 1) a copy of the state entity incorporation filing receipt, 2) EIN number and 3) a corporate resolution duly embossed with incorporation seal authorizing the registrant to purchase real property for said entity.]

11. All bidders are required to use the bidder number issued to them for all purposes associated with the auction. A bidder may not bid on behalf of a party who is on the prohibited bidder list.

12. Bidder acknowledges receipt of the pamphlet entitled "Protecting Your Family From Lead in Your Home." Bidder also acknowledges that he/she has had the opportunity to conduct a risk assessment or inspection of the premises for the presence of lead-based paint, lead-based paint hazards, mold, asbestos or any other hazardous substances.

13. The former owner of the property, or his agent, shall not be deemed to be the successful bidder on the property or purchase same at the public auction, unless the bid amount exceeds the amount of the purchase price to affect the release of County's interest. If the former owner or his agent reacquires the property, all liens existing prior to the foreclosure, will be reinstated and the purchaser (former owner) must sign the deed to reinstate the liens.

14. Purchaser shall provide information necessary to complete, and shall execute, the necessary forms and documents required for recording the deed in the Orleans County Clerk's Office. The purchaser executing the auction terms and conditions of sale may not assign or otherwise transfer his right to complete the bid, unless the County agrees in writing. The deed prepared will be in the name of the successful bidder (and spouse) only. No third-party bidding will be accepted, unless the bidder identifies that he is bidding as an agent for a disclosed principal.

15. The auctioneer's decision regarding any disputes is final, and the auctioneer reserves the right to reject any bid that is not an appreciable advancement over the proceeding bid.

16. The Purchaser will execute an Offer to Purchase form immediately upon being declared the high bidder. The approval of each bid by Resolution of the County Legislature will not constitute a Contract of Sale and the County reserves the right to reject any bid prior to the closing of title and the recording of the deed.

17. The Purchaser shall be responsible for the payment of an eleven percent (11%) buyer's premium (1% buyer's premium discount for cash or other guaranteed funds) in addition to the accepted purchase price, an advertising fee of 1.5% of the bid price, and the closing fees/costs. The "buyer's premium" is the fee/commission earned by the auctioneer. Accepted purchase price is the amount bid by the highest bidder, which has been approved by the Orleans County Legislature.

18. All required deposits must be paid in full for all successful bids immediately upon being declared the successful bidder. Any successful bidder, who fails to tender the deposit immediately upon being declared the successful bidder, will be forbidden to participate in this or any other auction. Any parcels which the County did not receive deposits for, as per these terms and conditions, will be considered to be defaulted, and resold and the bidder will be disqualified from further bidding.

19. 25% of the total contract price (total contract price is the combination of the high bid plus the buyer's premium, as defined in section 17 of these terms and conditions), shall be paid as a down payment on the day of the auction upon execution of an Offer to Purchase Form. The buyer's premium is wholly based on the down payment type. Total contract prices selling \$250 or less must be paid in full at auction, including all closing costs which consist of the following will be paid with the down payment on the day of the auction for each parcel: (a) New York State Transfer Tax [\$4.00 for the first \$1,000; \$2.00 for each \$500 thereafter of the purchase/bid price]; (b) Filing Fee for the Real Property Transfer Report [\$125.00 if the parcels classification code is 100-199, 200-299 or 411-C; \$250.00 for all parcels otherwise classified], (c) Filing Fee for combined Gains Transfer Tax Affidavit [\$5.00]; (c) all fees required by the Orleans County Clerk for recording of the deed [\$50.00 to record a one page deed; \$5.00 for each additional page], (d) 1.5% advertising fee as described in section 17. Closing costs may be subjected to an increase in fees as required by law, without notice. All deposits must be made in cash or guaranteed funds payable to the "Orleans County Treasurer" and drawn on banks insured by the Federal Deposit Insurance Corporation (FDIC). No exceptions.

20. The Purchaser paying the minimum deposit by credit card understands and agrees that all deposits collected by credit card will be turned over to the Orleans County Treasurer. Credit cards can be used for the minimum deposit only, not the total contact price. The Purchaser paying by credit card(s) agrees that they shall NOT attempt a charge back on their credit card(s) used in this/these transaction(s) for any reason whatsoever. In such event that a charge back is initiated by Purchaser and that such attempt is upheld in favor of Auctioneer/Orleans County, Purchaser agrees and authorizes to compensate Auctioneer with a \$750.00 recovery fee as a new charge to their credit card(s) without requiring additional Purchaser signature(s). Failure to pay such recovery fee will result in collection action against said Purchaser(s).

21. All bids shall be subject to approval by the Orleans County Legislature, which shall have the right, in the Legislature's sole discretion, to reject any bid for any reason whatsoever.

22. The entire balance of the accepted purchase price, the buyer's premium, as defined in section 17 of these terms and conditions, and all closing costs/fees must be paid by cash or guaranteed funds to the Orleans County Treasurer's Office on or before July 29, 2022. The County is not required to send notice of acceptance to a purchaser. If the purchaser fails to pay the balance of the total contract price plus closing costs and fees as herein provided, the deposit shall be forfeited. The County reserves the right, in its sole discretion, to extend the time of payment upon such terms and conditions it deems appropriate.

23. If the successful bidder fails to tender such amount due by the close of business on July 29, 2022, then the County may, but is not obligated to offer any unsold property to the second highest bidder. All terms and conditions for the sale set forth herein above shall apply to the second highest bidder and/or any other purchaser.

24. All parcels for which you are the successful bidder for must be paid in full. No selective closings subsequent to the auction. Failure to remit full payment on all parcels for which you are the successful bidder will result in a default of all deposits tendered and you will not be permitted to close on any other parcels for which you are the successful bidder.

25. All sales shall be final, absolute and without recourse, once title has closed and the deed has been recorded. In no event, shall Orleans County and/or Absolute Auctions & Realty, Inc. be or become liable for any defects in title for any cause whatsoever, and no claim, demand or suit of any nature shall exist in favor of the purchaser, its heirs, success or assigns, against Orleans County and/or Absolute Auctions & Realty, Inc. arising from this sale.

26. The County of Orleans will execute no warranties concerning the parcel or title thereto and will not deliver or be responsible for abstracts, title insurance, title searches, surveys, maps or other documents concerning a parcel whatsoever.

27. Conveyance shall be by quitclaim deed only, containing a description of the property as it appeared on the tax roll for the year upon which the County acquired title or as corrected up to date of deed. The deed will be recorded by the County upon payment in full of the accepted purchase price, buyer's premium, and closing fees/costs. POSSESSION OF PROPERTY IS FORBIDDEN UNTIL THE DEED IS RECORDED WITH THE ORLEANS COUNTY CLERK CONVEYING TITLE TO THE PURCHASER. TITLE VESTS AT THE RECORDING OF THE DEED. It is agreed between the County and the purchaser that delivery and acceptance of the deed occurs upon recording the deed.

28. A quitclaim deed issued as a result of the auction shall contain the following provisions: (a) "Nothing contained in any description herein is intended to convey more than the assessed owner owned at the time of the levy of the tax, the non-payment of which resulted in the tax sale. There is no representation as to the extent of the acreage conveyed herein;" (b) Orleans County shall in no event be or become liable for any defect in the title so conveyed for any cause whatsoever, or for any encroachments or disputed boundaries; and that no claim or demand of any nature shall ever be made against said Orleans County arising from such sale or conveyance or any proceedings leading thereto.

29. Evictions, if necessary, are solely the responsibility of the successful purchaser after closing and recording of the deed. PLEASE NOTE: All bidders are advised that the properties are sold subject to the rights of tenants or persons otherwise occupying the properties, if any. Responsibility to evict any tenants or take similar action concerning occupancy of the premises is the sole responsibility of the bidder. Eviction proceedings are subject to NYS law including any Executive Orders of the Governor and Administrative Orders of the NYS court system.

30. Bidder gives permission for Auctioneer and those acting pursuant to its authority to photograph, video tape, or use any other electronic method of recording my likeness and/or voice to be used at the Auctioneer's discretion in auction-related publications and/or websites.

Moved, Draper; second,

RESOLUTION NO. 137-222

AUTHORIZING COUNTY TREASURER TO SET UP FUNDS FROM REPAIRS RESERVE TO OFFICE EQUIPMENT REPAIRS ACCOUNT

WHEREAS, funds in the amount of \$41,521.67 from the 2021 Office Equipment Repair Account have been reverted to the County's Repairs Reserve; and

WHEREAS, said funds must be segregated and carried forward to meet state auditing requirements; be it

RESOLVED, the County Treasurer is hereby authorized to set up funds from the Repairs Reserve in the amount of \$41,521.67 to Office Equipment Repair Account 01.1615.0443.

Moved, Draper; second,

RESOLUTION NO. 138-222

AUTHORIZING PAYMENT OF CLAIMS FOR MARCH AGAINST THE COUNTY

WHEREAS, claims for the General Fund, Job Development Agency, Department of Public Works, 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 funds and that the Clerk of the Legislature, the Director of Job Development Agency, the Commissioner of the Department of Public Works, 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 March 9, 2022:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General		
Utility Payments	Paid on line	
Department of Public Works		
Job Development		
Self Insurance		

RESOLVED, that this Legislature authorizes payment of said claims against the following funds and that the Clerk of the Legislature, the Director of Job Development Agency, the Commissioner of the Department of Public Works, 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 March 23, 2022:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General		
Utility Payments	Paid on line	
Department of Public Works		
Job Development		
Self Insurance		

Moved, Fitzak; second,