

Legislature Meeting March 23, 2022

Chairman Lynne Johnson called the meeting to order at 4:30 followed by the Pledge to the Flag. Reverend Brandon Carmichael of the Victory Baptist Church in Albion gave the invocation.

Clerk Lisa Stenshorn called the roll. Present in the Chambers were Legislators Allport, Eick, Fitzak, Morgan and Johnson. Legislators Draper and Morgan were absent.

The Clerk presented the following Communication: Orleans County Treasurer Kimberly DeFrank has filled the 2021 year end reports for the following Capital Projects: County Office Building Addition & Renovations, Infrastructure Projects and Lake Ontario REDI Projects.

Orleans County Treasurer, Kimberly DeFrank stated that the finances are doing well. The report handed out show the tax collection coming in from the towns. Everything is running smoothly.

Chairman Johnson asked the Legislators for any open discussion as it related to the resolutions, hearing none Chairman Lynne Johnson offered the ‘Orleans County State of the County’ address:

Good afternoon and thank you for joining us today.

In the past I appeared before you and we were at the mercy of COVID-19. We were bending and twisting and trying to conform our lives to this deadly, destructive illness. But today look at us, look at us. Through creativity, sacrifice, discipline, and vaccinations we are fighting back and overcoming.

We have a long way to go my friends; we still aren't fully back, but we are getting there, and we are united.

Some days, it feels like we just started, and other days, well other days are other days.

I want to publicly thank the incredible 400 plus County employees for their dedication to each other and the people of this county. You have worked tirelessly during a lockdown, and then as we began to open you volunteered at vaccine clinics to get our people vaccinated. And thank you to our county residents for being active, engaged citizens, a part of this amazing County. Thank you for joining our effort to lead us through this pandemic.

President Harry Truman once said, “America was built on courage, on imagination and unbeatable determination, to do the job at hand”. I’m here to tell you that we are here to do the job at hand and united, we will do the job at hand. Because of our unity we will move forward.

There are so many notable facts worth mentioning that made this last year great for Orleans County and gives us the example of strength and creativity to prepare for next year. We have presented a budget under the 2% state mandated tax cap. We made hard financial decisions when faced difficult financial times, but we made smart choices with federal dollars that not only saved the County money, but also provided essential services for the public when and where they

needed it most. Our efforts with broadband have been successful. RTO will service 100% of the residents in Orleans County.

I want to be clear, this is how government is supposed to work which means good government. We have worked every day for you, and I mean that. During this pandemic, many of our Orleans County neighbors struggled mightily to survive. We have provided a helping hand to the communities around us and our many partner agencies, we demonstrated grace under pressure. We helped our neighbors get through this, it is part of our being, and our residents remember. We have been a true force for good.

I am proud and inspired by the way our county has risen to this challenge, with flexibility, resilience, courage, creativity, and a caring heart. I thank our employees for their enormous contributions. Let's keep working together across all departments, across all towns and villages. Let's make this year our finest hour. I am convinced we will get through this with our self-confidence and our energy. It is literally in our hands.

Orleans County started vaccinating on January 5th, 2021. We were learning and teaching each other how to vaccinate for COVID-19. From that moment it has been nonstop.

There are many of our workers and citizens out there, hands doing the jobs and carrying the load for others, with quiet voices and steady hands. They don't get a lot of attention, nor do they seek it, but they deserve our thanks.

I thank the Orleans County Health Department under the leadership of Paul Pettit, for their tireless work. The men and women of the Health Department lead the fight in educating us, testing us, and continue to vaccinate us, to all of you I say thank you.

We have worked regularly with the County's school superintendents to help them navigate the reopening process in assisting their teachers, faculty and staff to be vaccinated because we recognize that the schools need to be open, and the children of this County need to be in the classroom.

This pandemic also shined a light on the dedicated and committed work of our Orleans County Sheriff's Department under the leadership of Sheriff Chris Bourke, vigilant in efforts to protect the county and keeping watch over us. The County's Police Reform and Reimagining Task Force made up of law enforcement, an attorney, and key stake holders seeking to implement positive reform issued an extensive report after five months of intensive collaboration and that report was approved unanimously by the Legislature.

As we have been, since day one of this crisis, County government has an all-hands-on-deck approach to help Orleans through this unprecedented pandemic. Through the County's Office for the Aging, under the leadership of Melissa Blamar, we have sought all available resources to help the County's senior population navigate the vaccine appointment process.

As I appear here before you today, know that over 100 of our brothers and sisters are gone. Lost to COVID-19. We want to honor those men and women as much as we can: the moms, the dads, the sisters, and brothers. No life lost is ever a statistic, they are people, they loved and we loved them. They laughed and cried and walked among us. Perhaps the greatest way to honor those we have lost is to show love to our neighbors, the people with whom we share these streets and be the best we can be.

Friends, we live in a time of extraordinary change, how we work, where we work, how we educate our children, and how we take care of ourselves. In the past our goal has been growing the economy, making sound financial decisions, and attracting new businesses. But we have also been creating a community that works for everyone – because that is what good government is supposed to do. In the COVID world we now live in, we must continue to focus on growing the economy, and as we know the workers, start-ups and small businesses are going to play a big role, support them, buy local because the spirit of innovation and creativity is here, it was always here. Now it's our job to help this spirit to continue.

We appointed Holli Nenni, who has a long career in that field, to take charge of the Department of Social Services – the County's largest department that serves many. As you know, county governance is all about us, so if you think you have fresh ideas and skills that would further enhance services at the County, we encourage you to visit the County's website. We want you to be part of this spirit.

In a year and a half when it feels so much has been torn down, I want you to know we are building up. We submitted a Capital Budget that contained over \$5 million dollars in new appropriations for capital projects. When it comes to infrastructure in Orleans – we are building in a way that has never been seen in recent memory. I thank Department of Public Works Commissioner John Papponetti for his leadership in sharing services for rebuilding and construction.

In a post-war world, President Truman said: "At no time in our history has unity among our people been so vital as it is at the present time. Unity of purpose, unity of effort, and unity of spirit are essential to accomplish the task before us."

Ladies and gentlemen, I am here to tell you today that the State of our County, Orleans County, is strong and getting stronger with the unity of spirit and our purpose. Yes, we have more work to do, but we are here to do the job at hand, you are here to do the job at hand and together, united – we will do the job at hand. Because WE are Orleans County, and we are united to move forward.

I am asking you to continue to travel with me on this journey – help us to continue to rebuild our County. Orleans has been through big changes before us; wars, depression, hurricanes, floods, and now a pandemic. During every difficult part in our history, there have been those who told us we should fear these crises, we should do less and avoid change, but I am here to tell you something you already know, change is constant, and change is inevitable. We will evaluate the old to keep the good and rather than fighting change, we must embrace it and shape it and own it – because that is what Orleans County residents do, that is what New Yorkers do and that is what Americans do. When we make change work for us, we always move forward, and, in the end, we always emerge stronger, wiser, and better than before. We are not tired, and we are far done. We are reaching and striving always to do the job at hand. Thank you.

Chairman Johnson then asked the Public for any open discussion as it related to the resolutions. There being none offered, Chairman Johnson ask Legislator Allport to present the proclamation declaring April 2, 2022 as World Autism Awareness Day and April 2022 as World Autism Month. Jessica James, an Autism Speaks advocate, was very excited to receive the proclamation. Miss James stated "Words can't describe how happy I am to be here. Thank you

very much.”

Chairman Johnson moved into the presentation of resolutions. Legislator Allport, moved to add one resolutions to the agenda; second by Legislator Morgan. Motion carried. The following resolutions were presented for adoption:

RESOLUTION NO. 139-322

AUTHORIZING THE SHERIFF’S OFFICE TO APPLY FOR GRANT FUNDING THROUGH WALMART FOUNDATION

RESOLVED, that this Legislature does hereby authorize the Sheriff’s Office to apply to Walmart Foundation for the 2022 Community Grant funds, with possible grant award ranging from \$250 to \$5,000, proposed funding received would be for the participation in local outreach Shop with a Cop program that would benefit children and families within our community.

Moved, Allport; second, Morgan.
Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 140-322

AUTHORIZING THE SHERIFF’S OFFICE TO CONTINUE WITH THE ALTERNATIVES TO INCARCERATION PROGRAM AND APPROVING THE APPLICATION FOR GRANT FUNDING FOR THIS PROGRAM

RESOLVED, that this Legislature authorizes the Sheriff’s Office to continue with the Alternatives to Incarceration Program and also authorizes its continued application to NYS Division of Criminal Justice Services (DCJS) for grant funding available for Article 13-A Classification Alternatives to Incarceration (ATI) Programs, as a reimbursable cost to the county of \$10,762.00 effective grant period July 1, 2022 through June 30, 2023; now be it

FURTHER RESOLVED, that upon approval by NYS DCJS, the Chairman is hereby authorized to execute grant agreement, Contract # C523944, and all related documents associated with this grant.

Moved, Allport; second, Morgan.
Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 141-322

AUTHORIZING THE SHERIFF’S OFFICE TO CONTINUE PARTICIPATION WITH AND SUBMIT APPLICATION FOR FUNDING THROUGH THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

WHEREAS, the Orleans County Sheriff’s Office continues to participate in available Operation Stonegarden grants awarded annually by the New York State Division of Homeland Security and Emergency Services; now be it

RESOLVED, that the Orleans County Sheriff’s Office is authorized to participate in and

apply for the grant between the NYS Division of Homeland Security and Emergency Services and the Orleans County Sheriff's Office for Operation Stonegarden FY2022.

Moved, Allport; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 142-322

AUTHORIZING THE SHERIFF'S OFFICE TO APPLY FOR GRANT FUNDING WITH THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE

RESOLVED, that the Sheriff is authorized to apply for the 2023 New York State Governor's Traffic Safety Committee's Child Passenger Safety Incentive Grant (CPS) for funding period of October 1, 2022 through September 30, 2023 to support educational activities for child passenger programs through initiatives including fitting stations, training and education programs, child passenger safety check events and car seat distribution programs for low-income families; now be it

FURTHER RESOLVED, that the Sheriff is authorized to apply for the 2023 New York State Governor's Safety Committee's Police Traffic Services Grants (PTS) for funding period of October 1, 2022 through September 30, 2023 to provide funding to conduct traffic safety initiatives and enforcement, including participation in the national Click it or Ticket seat belt enforcement mobilization, in an effort to improve motorist behavior and traffic safety within local communities.

Moved, Allport; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 143-322

AUTHORIZING THE SHERIFF'S OFFICE TO APPLY FOR GRANT FUNDING THROUGH THE NEW YORK STATE CANAL CORPORATION

RESOLVED, that this Legislature authorizes the Sheriff to apply for funding through the New York State Canal Corporation for the 2022-2023 Marine Patrol Grant for the purpose of funding marine patrols on the Erie Canal and canalway trails.

Moved, Allport; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 144-322

REQUESTING THE ENACTMENT OF SPECIAL LEGISLATION AUTHORIZING THE COUNTY OF ORLEANS TO OFFER AN OPTIONAL TWENTY-YEAR RETIREMENT PLAN TO CERTAIN DEPUTY SHERIFF'S

WHEREAS, the enactment of special legislation of the New York State Legislature to reopen the provisions of Section 553 of the Retirement and Social Security Law for Deputy Sheriff's Kevin Colonna and Ryan Flaherty who are not currently covered by Section 553 has

been requested by the Orleans County Legislature by passage of Resolution No. 550-1221; be it

RESOLVED, that the Orleans County Legislature requests the enactment of Senate Bill No. 3722-A, sponsored by Senator Ortt, and Assembly Bill A09353, sponsored by Assemblyman Hawley authorizing Kevin Colonna to obtain service credit for service as a Deputy in the County of Orleans; and be it

FURTHER RESOLVED, that the Orleans County Legislature requests the enactment of Senate Bill No. 3723-A, sponsored by Senator Ortt, and Assembly Bill A09375, sponsored by Assemblyman Hawley authorizing Ryan Flaherty to obtain service credit for services as a Deputy in the County of Orleans.

Moved, Allport; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 145-322

AUTHORIZING LEASE PURCHASE AGREEMENT WITHIN THE SHERIFF'S JAIL

RESOLVED, that this Legislature approve a lease purchase agreement between the Orleans County Sheriff's Office and Axon Enterprises, Inc., 17800 N. 85th St., Scottsdale, AZ 85255 for the purchase of less than lethal Tasers and accessories at of total lease cost of \$30,000.00 on NYS Office of the State Comptroller-State Police Division, Contract # PA01857, to be paid yearly beginning March 1, 2022 through February 28, 2027 from the Sheriff's Jail budget 01.3150.0270-Capital Equipment; and be it

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

Moved, Allport; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 146-322

AUTHORIZING PURCHASES WITHIN THE SHERIFF'S S.W.A.T. BUDGET

WHEREAS, the Sheriff seeks to fully equip S.W.A.T. Deputies with the capability to respond to armed and violent emergency situations to protect the Public at large with providing transparency; now be it

RESOLVED, that this Legislature does hereby approve the following procurement purchases with the following agencies:

Amchar Wholesale Inc., 100 Air Park Dr. Rochester, NY 14624 for rifles in the amount of \$9,054.10 on NYS OGS Contract No: PC68729, Group #: 35200, Award #: 23155-Contract Period November 1, 2019-October 31, 2024 to be paid from the Sheriff's S.W.A.T. budget account 01.3130.0250-Other Equipment.

Jurek Brother Inc., 59 School Street, P.O. Box 408, Greenfield, MA. 01301 for Ammunition in

the amount of \$9,746.78 on NYS OGS Contract No: PC68735, Group #: 35200, Award #: 23155-Contract Period November 1, 2019-October 31, 2024 to be paid from the Sheriff's S.W.A.T. budget account 01.3130.0250-Other Equipment.

Moved, Allport; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 147-322

APPROVING FEE SCHEDULE INCREASE IN THE SHERIFF'S OFFICE

WHEREAS, the sheriff has contracted with Carfax Police Program to identify and provide strengths and opportunities for a convenience service to the Orleans County Public by adding an additional available digital version of MV-104A Police Accident Report; now be it

RESOLVED, that this Legislature does hereby approve this enhanced service for the greater public access at a fee of \$10.00 effective March 24, 2022.

Moved, Allport; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 148-322

AUTHORIZING ABOLISHING, CREATING AND FILLING POSITIONS IN THE SHERIFF'S OFFICE

WHEREAS, the Orleans County Sheriff reviews all positions in the Sheriff's Office to certify that positions, duties, and supervision are at an appropriate level to ensure the most effective operation of the Sheriff's Office; and

WHEREAS, the Sheriff has determined to improve the Public Safety at Large with disposition strategies on shifts with both Road Patrol and in Office a plan to oversee and execute; now be it

RESOLVED, that this Legislature does hereby approve the creation of six (6) part-time Sheriff Deputy Positions (3110.85, 3110.86, 3110.87, 3110.88, 3110.89 & 3110.90) in the Sheriff's Office at \$24.80 per hour, effective March 24, 2022; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the abolishing of one (1) full-time Civil Clerk position (3110.16) in the Sheriff's office effective March 24, 2022; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a full-time Senior Civil Clerk in the Sheriff's Office at grade 3 of the OCSEA contract effective March 24, 2022; and be it

FURTHER RESOLVED, that due to a retirement this Legislature does hereby authorize the filling of a permanent full-time Sheriff Deputy (3110.68) in the Sheriff's Office at Grade 1 of the OCDSA contract, effective March 24, 2022; and be it

FURTHER RESOLVED, that due to a resignation this Legislature does hereby authorize the filling of a vacant permanent part-time Correction Officer (3150.37) in the Sheriff's Jail at \$15.68, effective March 24, 2022.

Moved, Allport; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 149-322

APPROVING LEASE AGREEMENTS WITH RTO FOR WIRELESS INTERNET SERVICES

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

WHEREAS, Resolution No. 520-1121 approved the agreement with RTO for wireless internet services for the Towns of Barre, Carlton, Clarendon, Kendall, Murray, Ridgeway and Yates; now be it

RESOLVED, that this Legislature authorizes the Chairman to execute the lease agreements to provide wireless internet services for three towers located in the Towns of Clarendon, Kendall and Yates, subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Allport; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 150-322

AUTHORIZING EXPENDING GRANT FUNDS IN THE EMERGENCY MANAGEMENT BUDGET

RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend State Interoperable Communications (SICG) FY19 Formula Grant funds for the purchase of three portable radios and accessories from Castner Communications, 2525 County Road 28, Canandaigua, NY 14424 in the amount of \$4,952 with the balance of \$82 to be paid from Other Miscellaneous 01.3640.0418 for a total of \$5,034; and be it

FURTHER RESOLVED, that this Legislature authorize the County Treasurer to set up State Interoperable Communications FY19 Grant funds as follows:

REVENUE:

01.3640.4309.1974	SICG Formula FY2019	\$4,952
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APPROPRIATION:

01.3640.0486.1974	Special Grants-SICG FY19	\$4,952
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Moved, Allport; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 151-322

AMENDING RESOLUTION NO. 87-222 DUE TO A CHANGE IN REPRESENTATIVES ON THE ORLEANS COUNTY EMERGENCY MEDICAL SERVICES BOARD

WHEREAS, Resolution No. 87-222 approved all member to the Emergency Medical Serviced Board; and

WHEREAS, Murray Joint Fire District has a new representative for the EMS Board; now be it

RESOLVED, that this Legislature approve removing Adam Blosenhauer and adding Hunter Salamanca as the Murray Joint Fire District representative.

Moved, Allport; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 152-322

APPROVING MODIFIED AGREEMENT FOR NON-PUBLIC DEFENDER ATTORNEY BRUCE R SCHMIDT ESQ. TO PROVIDE COVERAGE FOR THE CENTRALIZED ARRAIGNMENT PART (CAP)

WHEREAS, previously approved Resolution No. 417-921 and Resolution No. 500-1121 authorized non-Public Defender attorneys to assist with CAP sessions, set stipend to be paid and approved an Independent Contractor agreement; and

WHEREAS, it has become necessary to modify the existing Independent Contractor Agreement to reflect the duties and rate for the non-Public Defender CAP attorney; now be it

RESOLVED, that this Legislature approve the Modified Independent Contractor Agreement entered into with Bruce R. Schmidt, Esq., with the terms set forth in Resolution No. 417-921 and Resolution No. 500-1121, reflecting the new rate and potential number of sessions per month to allow continued coverage for the CAP; and shall commence on April 1, 2022 through October 31, 2022.

Moved, Allport; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 153-322

AUTHORIZING A CONTRACT BETWEEN THE PUBLIC DEFENDER'S OFFICE AND THOMSON REUTERS

RESOLVED, that this Legislature approves and agreement between the Orleans County Public Defender's Office and Thomson Reuters, 610 Opperman Drive, Eagan MN 55123, to provide West Proflex legal research services to seven (7) attorneys and (7) non-attorneys in the Orleans County Public Defender's Office, effective April 1, 2022 through March 31, 2023, at a

cost of \$484.00 per month; and be it

FURTHER RESOLVED, that this contact shall be in effect for so long as the additional funding necessary is available under Contract #CSTWIDEHH33, or and subsequent contract.

Moved, Allport; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 154-322

AUTHORIZING DISTRICT ATTORNEY TO APPLY FOR GRANT AWARD AND APPROVING AGREEMENT WITH THE NEW YORK OFFICE OF VICTIM SERVICES

WHEREAS, the District Attorney is applying to the NYS Office of Victim Services for a Grant Award of \$ 340,564.31 for three years with the possibility of a one-time two year renewal, (Grant Year One 10/1/2022 – 9/30/2023 for \$113,605.69 Grant Year Two 10/1/2023 – 9/30/2024 for \$113,735.42 and Grant Year Three 10/1/2024 – 9/30/2025 for \$113,223.20); now be it

RESOLVED, that the District Attorney is authorized to submit this grant request for proposal with funding to be used for the Crime Victims Assistance Program; and be it

FURTHER RESOLVED, that this Legislature approves the agreement with the New York State Office of Victim Services, for a term effective October 1, 2022 through September 30, 2025, for the continuation of the Crime Victims Assistance Program.

Moved, Allport; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 155-322

APPROVING AGREEMENT BETWEEN THE ORLEANS COUNTY PROBATION DEPARTMENT AND AUTOMON CORPORATION

RESOLVED, that this Legislature approves an agreement between Probation Department and Automon Corporation, 6621 N. Scottsdale Rd. Scottsdale, AZ 85250, for a maintenance contract to maintain the Probation Case Management System (Caseload Explorer) for the term of June 21, 2022 through June 20, 2023 at a cost of \$7,764.25.

Moved, Allport; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 156-322

APPROVING AGREEMENT BETWEEN THE ORLEANS COUNTY PROBATION DEPARTMENT AND IPPC TECHNOLOGIES

RESOLVED, that this Legislature approves a Memorandum Of Understanding (MOU) between the Probation Department and IPPC Technologies, Inc. PO Box 60144, King of Prussia, PA 19406, for the purpose of achieving the various aims and objectives relating to IPPC's

solutions for monitoring computers, devices and internet access of Sex Offenders and other defendants on supervision for the term of March 7, 2022 through March 6, 2025 at \$0 county cost.

Moved, Allport; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 157-322

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	\$32,813
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APPROPRIATION:

01.4310.0418	Other Contractual	\$32,813
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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	\$32,813
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APPROPRIATION:

01.6510.0486	Special Grants	\$32,813
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Moved, Allport; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 158-322

APPROVING AGREEMENT IN THE HEALTH DEPARTMENT

RESOLVED, that this Legislature does hereby approve the following agreement between the Health Department and the following agency:

Boehringer Ingelheim Animal Health USA, INC. 3239 Satellite Blvd. Bldg. 500, Duluth GA 30096. Renew agreement Partners in Protection (PIP) shelter program, for discounted vaccine for animal care and agency. Allowing OCPH to purchase vaccine at a discounted rate under the PIP program. To be paid through NYS Rabies grant & Article 6; term to run February 1, 2022 through January 31, 2024; Cost determined by Tier 1 discount percentages.

Moved, Allport; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 159-322

AUTHORIZING OUT OF STATE TRAVEL FOR HEALTH DEPARTMENT EMPLOYEE

RESOLVED, that this Legislature does hereby authorize out of state travel by Mary Ellen Messmer, Supervising Public Health Nurse, to attend the 2022 Midwest Stream Forum for Agricultural Worker Health in Austin, Texas from March 27, 2022 to March 30, 2022. All costs covered with NYS Migrant Health Grant funds. No County Cost.

Moved, Allport; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 160-322

AUTHORIZING OUT OF STATE TRAVEL FOR HEALTH DEPARTMENT EMPLOYEE

RESOLVED, that this Legislature does hereby authorize out of state travel by Cora Young Emergency Preparedness Educator, to attend the NACCHO annual preparedness summit in Atlanta, Georgia from April 4, 2022 to April 7, 2022. Costs covered by NACCHO full scholarship. No County Cost.

Moved, Allport; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 161-322

AUTHORIZING OUT OF STATE TRAVEL FOR HEALTH DEPARTMENT EMPLOYEE

WHEREAS, Resolution No. 376-919 approved out of state travel and payment for Brenden Bedard to participate in the 2020 Emerging Leaders Course being paid with Kresge Foundation grant funds; and

WHEREAS, due to COVID-19 restrictions in 2020 said travel was cancelled; now be it

RESOLVED, that this Legislature does hereby authorize out of state travel by Brenden Bedard, Director of Community Health Services/Deputy Public Health Director, to attend the Emerging Leaders program, at the Harvard Kennedy School in Cambridge MA from May 8, 2022 to May 13, 2022. No County Cost.

Moved, Allport; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 162-322

ACCEPTANCE OF GRANT AWARD AND AUTHORIZING THE COUNTY TREASURER TO SET UP NEW MONEY IN THE HEALTH DEPARTMENT

RESOLVED, that the Orleans County Legislature approves the Orleans County Health Department grant awarded from the National Environmental Health Association (NEHA)-FDA Retail Flexible Funding Model Grant Program, Grant #G-BDEV-202111-01858, contract period February 1, 2022 through December 31, 2022; in the amount of \$1,500 to perform an updated self-assessment of all nine standards; and be it

FURTHER RESOLVED that the County Treasurer is authorized to set up the following new monies in the 2022 Health Department budget as a result of the grant award:

REVENUE:

01.4010.4403	Association of Food and Drug Officials	\$1,500
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APPROPRIATIONS:

01.4010.0220	Office Equipment	\$1,500
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Moved, Allport; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 163-322

APPROVING AGREEMENT BETWEEN THE ORLEANS COUNTY DEPARTMENT OF PUBLIC WORKS AND ALL STATE FIRE AND SECURITY

RESOLVED, that this Legislature approves an agreement with All State Fire and Security, 400 Mineral Springs Road, Buffalo, New York 14224 to provide semi-annual system inspection at the County Office Administration building South location and a quarterly wet inspection for the entire County Office Administration building at a cost of \$1,610.00/year; Contract period: April 1, 2022 through March 31, 2025; to be paid out of the Buildings and Grounds Division budget account 01.1620.0447-Miscellaneous Equipment Contracts; 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, Eick; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 164-322

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

WHEREAS, Resolution No. 337-721 approved an agreement extension with LaBella Associates to perform engineering services for Culvert Inspection & GIS Project; and

WHEREAS, Resolution No. 335-721 approved an agreement with LaBella Associates to perform Engineering Services for Bridge Inventory Management and PM Design Project; and

WHEREAS, Resolution No. 595-1221 approved an agreement with LaBella Associates for Engineering Services for Norway Hydraulic Study; and

WHEREAS, the Orleans County Department of Public Works entered into an agreement with Labella Associates in 2020 to provide professional services for the Angling Road Bridge Project and the County is now seeking TIP funding and Labella is assisting with estimate and application; therefore be it

RESOLVED, that due to ongoing unforeseen project delays and changes, this Legislature approves further extensions on these agreements with a new completion date of December 31, 2022 with no contract changes.

Moved, Eick; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 165-322

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 for a service agreement to install Software Maintenance Plan License and Perform Inspection on Tracer BAS at the County Office Building and to do System Analysis Review at the County Courthouse, Jail and Mental Health Buildings at a cost of \$7,570.00 per year in quarterly payments of \$1,892.50. Pricing is through National IPA Omnia Partners contract #15JLP023, to be paid out of the Buildings and Grounds Division budget 01.1620.0447 Miscellaneous Equipment Contracts; 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; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to transfer funds in the Building and Grounds budget as follows:

FROM:

01.1620.0429	Cleaning Supplies	\$5,070.00
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TO:

01.1620.0447	Miscellaneous Equipment Contracts	\$5,070.00
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Moved, Eick; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

Chairman Johnson asked DPW Commissioner Papponetti if there is any idea when this emergency culvert replacement work will start. Mr. Papponetti stated there is no answer as of yet. The survey work of the site is in the process of being completed, to properly size the new replacement culvert. From there we will seek out a pre-casted box. If we can't find one made, the concrete culvert boxes may have to be fabricated, which can take several months. Chairman Johnson asked if this is where there was a sink hole. DPW Commissioner stated yes, that during the last storm event there was some high water flowing through the tributary of

Johnson Creek. The existing corrugated metal pipe bottom was rotting out. Due to the fast flowing water the bottom of the pipe ripped apart. This caused a lot of erosion in and around the pipe. This eventually caused the collapse of the shoulder of the road and continues to degrade. There is nothing we can do about it at this point. The following resolution was adopted:

RESOLUTION NO. 166-322

EMERGENCY REPLACEMENT OF YATES CARLTON TOWN LINE ROAD CULVERT OVER TRIBUTARY OF JOHNSON CREEK

WHEREAS, on February 20, 2022, the culvert on Yates Carlton Town Line Road over a tributary of Johnson Creek experienced a structural failure due to high water flow in the creek. The failure caused a portion of Yates Carlton Town Line Road to be undermined. The undermining forced the Orleans County Department of Public Works to close the road; and

WHEREAS, the closure of Yates Carlton Town Line Road creates major disruption to the traveling public, schools, emergency services, and the local businesses in the area; and

WHEREAS, due to the volatility of the economy, limited availability of resources and materials, and raising prices, the Commissioner of Public Works is requesting to replace the culvert as soon as possible; now therefore be it

RESOLVED, that the County of Orleans Legislature hereby authorizes the Commissioner of Public Works to replace the Yates Carlton Town Line Road culvert over a tributary of Johnson Creek; and be it

FURTHER RESOLVED, that the County of Orleans Legislature grants the Commissioner of Public Works emergency authorization to procure all materials, labor and equipment necessary to complete the work in an expedited manner; and be it

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

Moved, Eick; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 167-322

AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO PURCHASE TIRES FROM HURTUBISE TIRE INC.

RESOLVED, that this Legislature does hereby approve the purchase of two (2) 23.5R25 Titan Radial MXL L-3 Tires for the 2011 John Deere 644K loader from Hurtubise Tires Inc., 730 Young Street, Tonawanda, NY 14150. The tires are being purchased under the NYS OGS Contract award #PGB-23149 at cost of \$5,080.00; to be paid from budget account 04.5130.0414.

Moved, Eick; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 168-322

AUTHORIZING REPAIR SERVICE FROM THE DEPARTMENT OF PUBLIC WORKS BUDGET

RESOLVED, that this Legislature approves a service repair bill from Southworth-Milton, Inc., P.O. Box 3851, Boston, MA 02241-3851 to service and repair the 2013 CAT AP1000E Paver for a total cost not to exceed \$15,000.00; to be paid from the Machinery fund account 04.5130.0444.

Moved, Eick; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 169-322

AUTHORIZING PURCHASE OF VEHICLES FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, Resolution No. 407-920 approved a Master Equity Lease Agreement with Enterprise Fleet Management; and

WHEREAS, there is a need to replace aging fleet vehicles in the Department of Public Works; and

WHEREAS, due to the global shortage of microchips, there is limited availability on vehicle production; now therefore be it

RESOLVED, that this Legislature authorizes the Department of Public Works to purchase three new and unused 5500 Series RAM Chassis with various body upfits, subject to availability, at a total cost not to exceed \$250,000.00 reimbursable through the Consolidated Highway Improvement Program (CHIPS), County Cost \$00; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute all necessary documentation to purchase these vehicles, subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Eick; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 170-322

AUTHORIZING LEASE OF VEHICLES FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, Resolution No. 407-920 approved a Master Equity Lease Agreement with Enterprise Fleet Management; and

WHEREAS, there is a need to replace aging fleet vehicles in the Department of Public Works; and

WHEREAS, due to the global shortage of microchips, there is limited availability on vehicle production. Therefore, the type of leased vehicle will be subject to the current needs of the Department and subject to availability; and therefore be it

RESOLVED, that this Legislature authorizes the Department of Public Works to lease up to three new fleet vehicles not to exceed \$21,600.00 annually, to be paid out of the Machinery Fund; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute all necessary documentation to lease these vehicles, subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Eick; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 171-322

AUTHORIZING COUNTY TREASURER TO SET UP MONEY WITHIN THE DEPARTMENT OF PUBLIC WORKS BUDGET

WHEREAS, Resolution No. 385-821 approved an agreement with C&S Engineers, Inc. for Professional Services for the Route 237 Bridge TIP Project in 2021 and the engineering portion has not been completed; therefore be it

RESOLVED, that the County Treasurer is authorized to set up monies from Road Fund Infrastructure Reserve into the Department of Public Works/Highway Division budget for the remaining unused money of \$25,509.43 as follows:

FROM:

Road Fund Infrastructure Reserve	\$25,509.43
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TO:

03.5120.0470.2287	Route 237 Bridge Project	\$25,509.43
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Moved, Eick; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 172-322

AUTHORIZING COUNTY TREASURER TO SET UP MONEY WITHIN THE DEPARTMENT OF PUBLIC WORKS BUDGET

WHEREAS, Resolution No. 336-721 approved an agreement with Labella Associates, DPC for Professional Services for the Transit Road Bridge New York Project in 2021 and the project has not been completed; therefore be it

RESOLVED, that the County Treasurer is authorized to reset up unused monies in the Department of Public Works/Highway Division budget for the remaining balance due of

\$74,827.16 as follows:

REVENUE:

03.5120.3503	Bridge Revenue	\$74,827.16
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APPROPRIATION:

03.5120.0470.2285	Transit Road Bridge Project	\$74,827.16
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Moved, Eick; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 173-322

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT INFRASTRUCTURE PROJECTS ACCOUNT

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.0250, Capital Project – Infrastructure Project – Bridge Replacement Program:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$29,310.88	Labella Associates, P.C.	Professional Services County Bridge inventory management

FURTHER RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.0251, Capital Project – Infrastructure Project – Culvert Improvements:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$13,531.00	Labella Associates, P.C.	Professional Services for Culvert Inspection and GIS Database

Moved, Eick; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 174-322

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT LAKE ONTARIO REDI ACCOUNT

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H1620.0250, Capital Project – REDI Project – Lakeshore Road No 1:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$ 3,176.80	Wendel	Professional services rendered through 1/30/2022

Moved, Eick; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 175-322

RESOLUTION APPROVING APPOINTMENT TO THE COUNTY PLANNING BOARD

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

<u>NAME & MAILING ADDRESS</u>	<u>REPRESENTS</u>	<u>EXPIRATION DATE</u>
Bruce Newell 17141 Norway Heights Kendall, New York 14476	Town of Kendall	12-31-2024

Moved, Eick; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 176-322

APPROVING AGREEMENT FOR DOCK WORKER/CUSTODIAL SERVICES AT ORLEANS COUNTY MARINE PARK

RESOLVED, that this Legislature hereby approves the renewal of the agreement with Ronald Bierstine, 2038 Peter Smith Road, Kent NY 14477, to provide dock worker and custodial services at Orleans County Marine Park from April 15, 2022 to October 31, 2022 at a cost not to exceed \$17,693 to be paid from Marine Park budget 01.7180.0432–Misc. Contracts/Agreements.

Moved, Eick; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 177-322

APPROVING AGREEMENT WITH THE ORLEANS COUNTY DEPARTMENT OF PUBLIC WORKS AND ORLEANS COUNTY SOIL AND WATER CONVERSATION DISTRICT

RESOLVED, that this Legislature does hereby approve an Intermunicipal agreement with the Orleans County Department of Public Works and the Orleans County Soil and Water Conversation District, 446 West Avenue, Albion, New York 14411 for a County-wide shared service agreement to strengthen the formation of the County Wide Drainage Program and reduce the amount of flood and poor drainage areas throughout the County effective March 1, 2022 through February 28, 2027.

Moved, Eick; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 178-322

AUTHORIZING OUT OF STATE TRAVEL FOR COUNTY OFFICIALS

RESOLVED, that this Legislature does hereby approve Chairman Lynne M. Johnson,

Legislator Merle “Skip” Draper, Legislator Edward Morgan and Emergency Management Director Dale Banker to travel out of state to attend the 2022 National Homeland Security Conference in Cleveland, Ohio on July 10, 2022 through July 14, 2022, with all costs covered by Emergency Management Grant funds.

Moved, Eick; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 179-322

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:

Intern agreement with Brockport College BSW Program, SUNY Brockport, and Orleans County Department of Social Services for the discipline of Social Work, effective January 3, 2022 through December 31, 2026. County Cost \$0

Gustavus Adolphus C&FS Jamestown, NY for the provision of residential foster care services; to be effective March 1, 2022 through February 28, 2023 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.

Moved, Fitzak; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 180-322

AUTHORIZING DEPARTMENT OF SOCIAL SERVICES TO APPLY FOR GRANT FUNDING FROM THE FEDERAL OFFICE OF PREVENTION OF VIOLENCE AGAINST WOMEN

RESOLVED, that the Department of Social Services is authorized to apply for the Rural Domestic Violence, Dating Violence, Sexual Assault and Stalking Program grant (O-OVW-2022-171078), funding period of October 1, 2022 through September 30, 2025, to educate and increase community awareness of the scope of services that Adult Protective Services offers, and to identify and provide support for vulnerable adults at risk for domestic violence; and be it

FURTHER RESOLVED, that the Chairman of the Legislature is authorized to sign grant application pending the approval of the County Attorney.

Moved, Fitzak; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 181-322

AUTHORIZING THE COUNTY TREASURER TO TRANSFER FUNDS WITHIN THE DEPARTMENT OF SOCIAL SERVICES BUDGET

RESOLVED, that the County Treasurer is authorized to transfer funds within the Department of Social Services budget to cover the purchase of two (2) scanners, as follows:

FROM:

01.6010.0418	Other Contractual Expenses	\$217.00
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TO:

01.6010.0220	Equipment	\$217.00
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Moved, Fitzak; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 182-322

AUTHORIZING ABOLISHING, CREATING AND FILLING POSITIONS IN THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, The Department of Social Services continuously reviews staffing to provide more efficient operation of County business, and due to a recent resignation; now be it

RESOLVED, that this Legislature does hereby abolish a full-time Keyboard Specialist position (6010.0703) in the Department of Social Services at Grade 7 of the CSEA Salary Schedule effective March 24, 2022; and be it

FURTHER RESOLVED, that this Legislature does hereby create a full-time Clerk position in the Department of Social Services at Grade 7 of the CSEA Salary Schedule effective March 24, 2022; and be it

FURTHER RESOLVED, that the Commissioner of Social Services is authorized to fill the vacancy effective March 24, 2022.

Moved, Fitzak; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 183-322

APPROVING GENESEE, LIVINGSTON, ORLEANS, AND WYOMING (GLOW) LOCAL WORKFORCE DEVELOPMENT AREA MEMORANDUM OF UNDERSTANDING PURSUANT TO THE WORKFORCE INNOVATIONS AND OPPORTUNITY ACT (WIOA)

RESOLVED, that this Legislature does hereby approve the Genesee, Livingston, Orleans and Wyoming (GLOW) Workforce Development Area Memorandum of Understanding (MOU) to organize and implement activities pursuant to the Workforce Innovation and Opportunity Act (WIOA) and is effective July 1, 2020 through June 20, 2023. This MOU is meant solely to capture each partner's roles and responsibilities in the NYS Career Center System (System). The partners executing this MOU acknowledge and agree that this document is not a contract, and the MOU does not create, or otherwise give rise to, any contractual rights or obligations between the partners and their representatives. The MOU memorializes, in writing, the way the partners will

work collaboratively together to satisfy the federal regulations for the System and is not designed to be contractual terms and conditions enforceable by a court order.

FURTHER RESOLVED, that the County Chairman is hereby authorized to execute the MOU, subject to review by the County Attorney.

Moved, Fitzak; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 184-322

APPROVING NOMINATION TO GENESEE-LIVINGSTON-ORLEANS-WYOMING (GLOW) WORKFORCE DEVELOPMENT BOARD

WHEREAS, the GLOW WDB is organized for the purpose of coordinating and implementing activities pursuant to the Workforce Innovation and Opportunity Act (WIOA) and as proposed by the Governor of the State of New York for the purpose of administering WIOA in Genesee, Livingston, Orleans, and Wyoming Counties; now be it

RESOLVED, that this Legislature does hereby approve the nomination of Kenneth DeRoller as the representative for the Orleans County Chief Elected Official (CEO) on the Genesee-Livingston-Orleans-Wyoming Workforce Development Board (GLOW WDB), pursuant to the GLOW Workforce Development Board (GLOW WDB) By-Laws and in compliance with New York State Local Workforce Development Board (LWDB) eligibility criteria. There is no term limit for this appointment, and the representative shall serve at the discretion of the Chief Elected Official.

Moved, Fitzak; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 185-322

AUTHORIZING CREATING AND FILLING POSITION IN THE JOB DEVELOPMENT AGENCY

RESOLVED, that this Legislature authorizes the creation and filling of a part-time Employee and Training Program Assistant position (6210.20) in the Job Development Agency, at grade 7 of the CSEA Salary Schedule, effective March 24, 2022; and be it

FURTHER RESOLVED, that this position will remain dependent upon funding availability within the Job Development Agency budget.

Moved, Fitzak; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 186-322

AUTHORIZING PURCHASE FOR COMPUTER SERVICES FOR THE 2022 MENTAL HEALTH DATA CLOSET

WHEREAS, that this Legislature is aware of the lack of fire suppression capabilities in the Mental Health building data closet and the catastrophic effects that could occur in the event of a fire, now be it

RESOLVED, that this Legislature authorizes the purchase of one (1) Ansul Sapphire Fire Suppression system for the data closet in the Mental Health building from All State Fire & Security, 400 Mineral Springs Road, Buffalo, NY 14224 for the Computer Services Project MH Fire Suppression Project in the amount of \$16,285.00 (Estimate # 30179) to be paid from Computer Services budget 01.1680.0270-Capital Equipment which will provide protection for the backups of the County data as well as protection for the Mental Health building from this specialized room. Pricing under NYS LIC # 12000293935.

Moved, Fitzak; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 187-322

AUTHORIZING PURCHASE FOR COMPUTER SERVICES FOR THE 2022 JAIL/COUNTY NVR PROJECT

WHEREAS, that this Legislature is aware of the issues surrounding the Jail systems NVR recordings, the ability of the jail personnel to view recordings for investigative purposes and the need to record 100% of the time to insure operational integrity of the recordings, and

WHEREAS, that this Legislature is aware of the needs of the county to retain a minimum of 30 days' worth of recordings at any given time, now be it

RESOLVED, that this Legislature authorizes the purchase of one (1) very large format server from DELL Technologies INC., PO Box 6515, Carol Stream, IL 60197-1515 for the Computer Services Project Jail/County NVR Project in the amount of \$16,300.00 (Quote # 3000111990844.1) to be paid from Computer Services budget 01.1680.0270-Capital Equipment, which will provide the initial server storage capacity needed to record video 100% of the time, allow jail personnel to examine video recordings and retain a minimum of 30 days' worth of recordings. Pricing under NYS OGS Contract PM20820/1000041162 Dell NYS Umbrella Contract.

Moved, Fitzak; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 188-322

AUTHORIZING PURCHASE BY COMPUTER SERVICES OF SECURITY ACCESS CONTROL MAINTENANCE CONTRACT FOR ORLEANS COUNTY

WHEREAS, the Legislature is aware of the wide ranging security access control requirements across the majority of buildings in Orleans County Government, and

WHEREAS, the Legislature is committed to the security and safety of assets and people

in Orleans County employ, now be it;

RESOLVED, that this Legislature authorizes the purchase of a maintenance contract renewal for security access control hardware from LINSTAR Inc., 430 Lawrence Bell Drive, Buffalo, NY 14221 for the County Office Building project in the amount of \$6,231.08 to be paid from Computer Services budget 01.1680.0418-Other Contractual.

Moved, Fitzak; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 189-322

AUTHORIZING EXECUTION OF A PAYMENT IN LIEU OF TAXES AGREEMENTS WITH DG GAINES, LLC FOR SOLAR ENERGY SYSTEMS IN GAINES PURSUANT TO REAL PROPERTY TAX LAW SECTION 487

WHEREAS, New York State Real Property Tax Law (“RPTL”) Section 487 exempts from taxation the increase in value to real property by reason of inclusion of qualified solar or wind energy systems or farm waste energy systems unless a county, city, town, village, or school district opts out of said exemption; and

WHEREAS, RPTL Section 487 provides that a county, city, town, village or school district that has not acted to opt out of said exemption may require the owner of a property which includes a solar or wind energy system meeting the requirements for the exemption to enter into a contract for Payments in Lieu of Taxes (“PILOT”); and

WHEREAS, DG GAINES, LLC has submitted a Notice of Intent to the County that it plans to build a solar energy system that meets the requirements for the exemption on a parcel of land located within the physical boundaries of the County at 2436 Gaines Waterport Road, New York Tax Map 39.-3-23.1 (the “Project”); and

WHEREAS, the Owner has submitted, or will submit to the assessor of the Town of Gaines an RP – 487 Application for Tax Exemption of Solar or Wind Energy Systems or Farm Waste Energy Systems, demonstrating the Project’s eligibility for a real property tax exemption pursuant to RPTL Section 487; and

WHEREAS, the Parties intend that, during the term of this Agreement, the Project will be placed on an exempt portion of the assessment roll and the Owner will not be assessed for any statutory real property taxes for which it might otherwise be subject to under New York law with respect to the Project; now, therefore be it

RESOLVED, that the Chairman of the Orleans County Legislature is hereby authorized to enter into PILOT Agreements, and any amendments thereto, with DG GAINES, LLC for the building and operations of a Solar Energy System, in the form as filed with the Clerk of the Orleans County Legislature or as modified with the approval of the County Attorney and Chief Administrative Officer, pending approval by the Town of Gaines and Albion Central School District.

Moved, Fitzak; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 190-322

AUTHORIZING COUNTY TREASURER TO SET UP NEW MONEY WITHIN THE COUNTY ATTORNEY BUDGET

RESOLVED, that the County Treasurer is authorized to set up new money in the County Attorney budget for intervenor funds received from the Town of Barre for the Heritage Wind Energy Project to be used for environmental counsel on said project as follows:

REVENUE:

01.1420.2214	Intervenor Funds	\$3,640.00
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APPROPRIATION:

01.1420.0493	Outside Counsel Fees	\$3,640.00
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Moved, Fitzak; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 191-322

CALLING FOR A PUBLIC HEARING REGARDING THE COMMUNITY DEVELOPMENT BLOCK GRANT

WHEREAS, Orleans County received Community Development Block (CDBG) funding from the New York State Office of Community Renewal (Project No. 857ME969-21) to implement the Orleans County Microenterprise Assistance Program (the "Program"); and

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

RESOLVED, that this Legislature hereby calls for a public hearing to obtain the views of citizens, public agencies, and other interested parties regarding the implementation of the CDBG program, such public hearing to be held at 4:25 p.m. on April 27, 2022 at the Legislative Chambers located at 14016 Route 31 West, Albion New York 14411.

Moved, Fitzak; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 192-322

AUTHORIZING PAYMENT OF CLAIMS FOR APRIL 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 April 13, 2022:

<u>Fund/Department</u>	<u>Check Number (s):</u>	<u>Amount:</u>
General		
Utility Payments	Paid on line	
Utility Payments		
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 April 27, 2022:

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

Moved, Morgan; second, Allport.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

RESOLUTION NO. 193-322

APPROVING AGREEMENT WITH THE DEPARTMENT OF PUBLIC WORKS AND WENDEL COMPANIES AND AUTHORIZING COUNTY TREASURER TO SET UP MONIES

RESOLVED, that this Legislature does hereby approve an agreement with the Department of Public Works and Wendel Companies, 375 Essjay Road, Suite 200, Williamsville, New York 14221 for Professional Services for the Immersion/Master Plan and Preliminary Design for the Public Safety Building and Associated Site Assessment; and be it

FURTHER RESOLVED, that this agreement is effective as soon as the County gives notice to proceed at a cost not to exceed \$147,000.00. This project is funded through the American Rescue Plan Act Fund Guidelines, to be paid out of Budget Account 01.1326.0470.1620; 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; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the Orleans County Treasurer to set up monies as follows:

FROM:

01.1326.4089	American Rescue Plan	\$147,000.00
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TO:

01.1326.0470.1620	ARP Buildings and Grounds	\$147,000.00
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Moved, Eick; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

The following add on resolution was presented for adoption:

RESOLUTION NO. 194-322

APPROVING AGREEMENT EXTENSIONS BETWEEN ORLEANS COUNTY BOARD OF ELECTIONS AND NEW YORK STATE BOARD OF ELECTIONS

RESOLVED, that this Legislature approves the Appendix X agreement extensions between the Orleans County Board of Elections and the New York State Board of Elections, 40 North Pearl St, Albany, NY extending the period effective April 1, 2022 through March 31, 2023 that funds are available to the local board of elections for the following:

Contract #C003236 - HAVA Operations Expenses Shoebox Program - Original Funding amount of \$179,599.49 (Res. No. 160-412); current balance \$18,542.36.

Contract #T002560 - Voter Education and Poll Worker Training Program - Original Funding amount of \$23,131.00 (Res. No. 123-307); current balance \$352.28.

FURTHER RESOLVED, that this Legislature does hereby authorize the Chairman to execute the Appendix X extensions and acknowledges that all other provisions of said agreements shall remain in full force and effect.

Moved, Allport; second, Morgan.

Adopted. 5 ayes; 0 nays; 2 absent-Draper, Miller.

Chairman Johnson asked for open discussion from the public. There being none, Legislator Eick made a motion to close the meeting, seconded by Legislator Allport. The meeting closed at 5:09 p.m.