

Legislature Meeting June 23, 2021

Chairman Lynne Johnson called the meeting to order at 4:30 p.m. Veteran Legislator Kenneth DeRoller led us in the Pledge to the Flag followed by an Invocation.

Clerk Lisa Stenshorn called the roll. All Legislators were present in the Chambers.

The Clerk presented the following Communications: Treasurer Kimberly DeFrank has filed the list of Inter Fund loans to Special Grant-WIA that were issued from June 8, 2021 to date as directed in Resolution No. 175-418 in the Clerk of the Legislature Office. A letter was received from Governor Cuomo stating that Paul Pettit has been appointed to serve as a Member of the Rural Health Council.

Town/Village resolutions that have been received

Orleans County Town/Village Resolution Submissions

Town/Village Resolution Title

T/Yates Town of Yates Res. No. 60-5/21-Heritage Wind Project Comments on Behalf of the Town Regarding the Heritage Wind Project in Barre NY

Treasurer Kimberly DeFrank reported that May has a healthy cash balance. The sales tax collection, as compared to 2019 are up \$1.2 million. Kim has applied for the American Rescue Plan Funds and has received fifty percent of those funds amounting to nearly \$4 million. This amount is not part of submitted report, as they were received in June. From a finance perspective, cash flow is doing well.

Chairman Lynne Johnson made the following statement:

“As you all know this has been a very difficult period of time for me, my family and the family of my son Chase; who remains in critical condition tonight in Strong Memorial Hospital ICU. I came because I wanted all to know that I am grateful for the love and support that you have given my family in this difficult period of time. Tonight, given my responsibility to all of you, my friends, neighbors and those that depend on our government, I assure you that I have met with the legislators, reviewed the resolutions and more. I am doing my job for all of you that elected me and honored me. It is however a difficult time. I apologize that I must leave the meeting now to attend to the immediate needs of my son, my family and his family. I came to thank my Orleans County family, my fellow legislators, for their understanding, prayers and the good wishes you have all given to me. I need to attend this family emergency and I wanted to be sure I met the promises I made to all of you when you elected me. At this point, I am turning the meeting over to Vice Chairman Legislator William Eick.”

Chairman Johnson left the Legislative Chambers. Vice Chairman William Eick moved to the seat of Chairman to continue conducting the business of today's Orleans County Legislator meeting.

Vice Chairman William Eick asked for open discussion as it relates to the resolutions presented.

Legislator Donald Allport stated that he had the honor of attending Steven Sills 82nd Airborne Memorial Service, on Saturday. There are two organizations that I would like to recognize for the great job they do. The Veterans Honor Guard attend every event, doing a superb job. It is comforting to know that the citizens of this county still honor our veterans and our military. The second is Honor To Remember, a nationwide organization. They do not have representation in every state yet, but are working on it.

This organization is for veterans at any period of their life, when they pass away to be recognized. They walk across the nation, stopping to read names as they travel. This year they are going from Syracuse to Albany reading names. They hope America never forgets.

Legislator DeRoller recognized Dawn Borchert the Tourism Director. On June 15, 2021 the Lt. Governour and the Canal Corp Director were in Medina to open the NYS Canal. Dawn did a find testimony presentaiton promoting our section of Canal that runs through Orleans County.

Hearing no other public comment on resolutions, Vice Chairman William Eick began with the presentation of resolutuions.

RESOLUTION NO. 245-621

AUTHORIZING TRANSFER OF FUNDS WITHIN THE COUNTY CLERK'S BUDGET

RESOLVED, that the Treasurer is authorized to transfer monies within the County Clerk Department budget to purchase new extended height chairs for the DMV, as follows:

FROM:

01.1410.0447	Contractual Services and Equipment	\$729.46
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TO:

01.1410.0220	Office Equipment	\$729.46
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Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 246-621

AUTHORIZING FEE FOR PISTOL PERMIT AMENDMENTS IN THE COUNTY CLERK'S OFFICE

RESOLVED, that this Legislature approves the County Clerk to charge a \$5.00 fee to reprint pistol permit cards for amendments that could include name changes, change of address, occupation, lost/stolen card, request for new photo, effective July 1, 2021. No fee will be charged for damaged cards that need to be reprinted.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 247-621

AMENDING RESOLUTION NO. 199-521 AND AUTHORIZING THE ORLEANS COUNTY TREASURER TO SET UP AND EXPEND AMERICAN RESCUE PLAN ACT FUNDS FOR COMPUTER SERVICES

WHEREAS, Resolution No. 199-521 authorized Computer Services the purchase of TextMyGov software and user licensed messaging platform from Computer Services Account 01.1680.0418-Other Contractual, and

WHEREAS, the American Rescue Plan Act Fund guidelines state that monies are to improve programs addressing the COVID-19 pandemic, including through use of targeted consumer outreach and improvements to data or technology infrastructure, now be it

RESOLVED, that this Legislature amend Resolution No. 199-521 to expend American Rescue Plan funds for the purchase of TextMyGov; and be it

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

REVENUE:

01.1326.4096	American Rescue Plan	\$7,200.00
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EXPENSE:

01.1326.0418.1680	ARP Computer Services	\$7,200.00
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Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 248-621

AUTHORIZING ABOLISHING, CREATING, AND FILLING POSITIONS IN THE COMPUTER SERVICES DEPARTMENT

WHEREAS, that this Legislature is aware of the myriad changes taking place in the Computer Services department; and

WHEREAS, there is an increased need for a more robust positions in the department than currently exists in the existing structure of the Computer Services Department; now be it

RESOLVED, that this Legislature authorizes the abolishment of a Computer Specialist position in the department (1680.05) effective June 24, 2021; and be it

FURTHER RESOLVED, that this Legislature hereby authorizes the creation of a Senior Computer Specialist, eight (8) hours per day at Grade 18 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of this newly created Senior Computer Specialist position effective June 24, 2021; and be it

FURTHER RESOLVED, that this Legislature hereby authorizes the creation of a Deputy Director of Computer Services, a 40 hours per week position at Grade 8 of the Management Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the position of Deputy Director of Computer Services pay calculation to use 35 hours per week to determine the hourly rate per the authorized Grade and Step of the Management Compensation Plan and then use that hourly rate to impute the position's annual salary using the authorized 40 hours per week; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of this newly created Deputy Director of Computer Services position effective June 24, 2021; and be it

FURTHER RESOLVED, should this position be filled with an employee of the Computer Services Department that this Legislature authorized the filling of the newly vacant position effective immediately.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 249-621

AUTHORIZING CREATION AND FILLING OF A POSITION IN THE PERSONNEL DEPARTMENT

RESOLVED, that this Legislature authorizes the creation of a part-time Examination Monitor position in the Personnel Department, and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created, vacant position at a rate of \$66.66 per half day and \$133.30 per full day effective June 24, 2021.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 250-621

AMENDING RESOLUTION NO. 107-321 REGARDING SETTING DATE AND TERMS FOR AUCTION OF COUNTY-OWNED TAX PROPERTIES

WHEREAS, The Orleans County Treasurer, Tax Enforcing Officer for the County of Orleans adhering to NYS Legislation (S.6362-A/A.7175-A) Extending the Moratorium on COVID-related Residential and Commercial Evictions and Foreclosure Proceedings for Those Filing a Hardship Declaration Until August 31, 2021.

WHEREAS, this NYS Legislation prevents local governments from engaging in a tax lien sale or a foreclosure until at least August 31, 2021. Payments due the locality are still due.

RESOLVED, this Legislature will amend Resolution No. 107-321, setting the date and terms of auction for County-owned property for the auction to be held Wednesday, November 17, 2021 at 10:00 a.m. at the Orleans County Fairgrounds, 12690 Route 31, Albion, New York; and be it

FURTHER RESOLVED that the following term and condition of the auction is hereby affirmed and restated;

4. **The purchaser shall be solely responsible for the payment of: the levied 2021 Town and County tax bill including any relieved taxes; any Village taxes levied after May 31, 2021, the 2021/2022 school taxes, the 2022 Town and County taxes, penalties and interest and charges levied against the property subsequent to the auction.**

FURTHER RESOLVED, that the following paragraphed terms and conditions are hereby amended, with no other terms or conditions of the auction being negated or changed as a result of the following amendments to the dates herewith:

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 payable to and received by the Orleans County Treasurer's Office on or before **December 17, 2021**. 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 **December 17, 2021**, 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.

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 251-621

APPROVING AGREEMENT BETWEEN COUNTY TREASURER AND EDMUNDS GOVTECH FOR PAYROLL TIME INPUT IMPLEMENTATION AND AUTHORIZING COUNTY TREASURER TO SETUP MONIES FROM MISCELLANEOUS RESERVE

WHEREAS, it is the desire of the County Treasurer to begin a process to implement a paperless payroll time input by departments, and

WHEREAS, the County Treasurer will need the current payroll system to be configured and setup to allow for this process, now therefore be it

RESOLVED, this Legislature approves the purchase of the system configuration and setup including in person and remote training for all employees involved at a cost of \$7,500.00 plus travel expenses from Edmunds GovTech, 301 Tilton Road, Northfield, NJ 08225 and authorizes the County Treasurer to set up monies as follows:

FROM:

Miscellaneous Reserve

\$7,500.00

TO:

01.1325.0456 Central Computer \$7,500.00

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 252-621

APPROVING AGREEMENT BETWEEN COUNTY TREASURER AND EBIZ DOCS AND AUTHORIZING COUNTY TREASURER TO SETUP MONIES FROM MISCELLANEOUS RESERVE

WHEREAS, the County Treasurer has many permanent payroll and tax records that are currently on microfilm and;

WHEREAS, these records are in immediate need of conversion to a current method of record keeping;

RESOLVED, this Legislature approves the contract and purchase of the microfilm document conversion at a cost of up to \$8,210.22 from EBIZ Docs, 85 Broadway, Menands, NY 12204 and authorizes the County Treasurer to set up monies as follows:

FROM:

Miscellaneous Reserve \$8,210.22

TO:

01.1325.0432 Misc. Contract/Agreements \$8,210.22

Moved, DeFilipps; second, DeRoller.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 253-621

AUTHORIZING COUNTY TREASURER TO ACCEPT THE AMERICAN RESCUE PLAN ACT FUNDS DESIGNATED FOR ORLEANS COUNTY

WHEREAS, the County Treasurer by Res. 200-521 has applied for the American Rescue Plan Act Funds for Orleans County, and

WHEREAS, the County Treasurer has received \$3,918,951.50 from U.S. Department of Treasury into Orleans County's General Fund account; therefore be it

RESOLVED, the Orleans County Treasurer is authorized to set up a separate department and receive these funds into Federal Revenue 01.1326.4096 – American Rescue Plan Act.

Moved, DeFilipps; second, DeRoller.

Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 254-621

SETTING DATE FOR PUBLIC HEARING FOR ADDITIONS TO CERTIFIED COUNTY AGRICULTURAL DISTRICT

RESOLVED, that a public hearing will be held by this Legislature to consider requests for inclusion of additional agricultural lands in certified County Agricultural District on the 28th day of July at 4:20 PM at the Legislative Chambers, 14016 Route 31 West, 2nd Floor, Albion, New York, and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall publish notice of said hearing in the official County newspaper.

Moved, DeRoller; second, DeFilipps.

Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 255-621

DESIGNATING THE TOURISM PROMOTION AGENCY AND AUTHORIZING APPLICATION FOR THE 2021 STATE TOURISM MATCHING FUNDS GRANT

RESOLVED, that this Legislature does hereby designate the Orleans County Tourism Office as the official Orleans County Tourism Promotion Agency (TPA) to represent the county in tourism promotion efforts and for purposes of the 2021 New York State Matching Funds Program; and be it

FURTHER RESOLVED, that the TPA Project Director is hereby authorized to apply for the 2021 State Matching Funds and to receive such funds to the extent that local matching funds are available.

Moved, DeRoller; second, DeFilipps.

Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 256-621

AUTHORIZING THE ORLEANS COUNTY TREASURER TO SET UP AMERICAN RESCUE PLAN ACT FUNDS FOR TOURISM

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

REVENUE:

01.1326.4096	American Rescue Plan	\$67,978.00
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EXPENSE:

01.1326.0418.6410	ARP Tourism	\$67,978.00
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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, DeRoller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 257-621

APPROVING AGREEMENT BETWEEN TOURISM AND OUTFRONT MEDIA AND AUTHORIZING PAYMENT FROM AMERICAN RESCUE PLAN FUNDS

WHEREAS, the American Rescue Plan Act Fund guidelines state that monies are to be used to promote tourism, now be it;

RESOLVED, that this Legislature does hereby approve agreement between Tourism and Outfront Media, Boston MA to provide billboard advertising on the NYS Thruway three miles east of exit 48 Batavia, to promote Orleans County as a four (4) season fishing destination, effective July 12, 2021 through July 9, 2023 to be paid from American Rescue Plan Fund 01.1326.0418.6410-ARP Tourism. Cost is \$28,600.00.

Moved, DeRoller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 258-621

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 a VOIP Conferencing System and Microphone as follows:

FROM

01.4310.0418	Other Contractual	\$698.00
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TO

01.4310.0220	Office Equipment	\$698.00
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Moved, Allport; second, Draper.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 259-621

APPROVING RE-APPOINTMENT TO THE COMMUNITY SERVICES BOARD

RESOLVED, that this Legislature approves the re-appointment of Bonnie Malakie to the Community Services Board, waiver to serve a fifth term to begin June 1st, 2021 and ending May 31st, 2025.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 260-621

AUTHORIZING ABOLISHING, CREATING AND FILLING POSITIONS IN THE MENTAL HEALTH DEPARTMENT

RESOLVED, that this Legislature authorizes the abolishing of the Keyboard Specialist position (Position No. 4310.35) in the Mental Health Department effective June 24, 2021; and be it

FURTHER RESOLVED, that this Legislature authorizes the abolishing of the Administrative Secretary position (Position No. 4310.28) in the Mental Health Department effective June 24, 2021; and be it

FURTHER RESOLVED, that this Legislature authorizes creating and filling the position of Senior Clerk in the Mental Health Department at Grade 10, of the CSEA Salary Schedule effective June 24, 2021.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 261-621

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES

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

Student Transport Inc. dba WNY Bus Co, 79 Sheldon Avenue, Depew, NY 14043. Extension of the one-year contract to provide EI/Preschool transportation services based on rates as awarded in the bid. Contract term September 1, 2021 through August 31, 2022. New York State Education reimbursement 59.5%. Orleans County cost 40.5% less any Medicaid reimbursements received.

Intermunicipal Agreement with Monroe County, 39 West Main Street, Rochester, NY 14614. Contract to provide Tuberculosis Consultative and Educational services to residents of Orleans County under the statutory jurisdiction of the Department of Public Health. Contract term January 1, 2021 through December 31, 2021. Costs include Electronic health record access \$4,714.76, \$200 per hour physician consults, and \$50 per hour RN consults. State Aid reimbursement at 100% up to base grant and 36% thereafter.

MVP Health Plan, Inc., 220 Alexander Street, Rochester, NY 14607-4002. Agreement to provide health covered services to MVP members as an Ancillary Provider. Term June 1, 2021 until either party no longer provides services applicable in the agreement.

Health Research, Inc., 150 Broadway, Suite 560, Menands, NY 12204. Extend contract end date for COVID-19 response activities approved in Resolution #211-520 from March 15, 2021 through December 31, 2021.

Venesky & Company, 6114 Route 31, Cicero, NY 13039. To assist with the compilation and entry of information needed to complete the Medicaid Cost Report for the Preschool Supportive Health Services Program (SSHSP) for program years July 1, 2020 through June 30, 2021 and July 1, 2021 through June 30, 2022. Contract amount \$5,000 each program year. Full County Cost.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 262-621

ACCEPTING PERFORMANCE INCENTIVE AWARD FROM THE NEW YORK STATE DEPARTMENT OF HEALTH AND SETTING UP NEW MONIES IN THE PUBLIC HEALTH DEPARTMENT BUDGET

WHEREAS, the Orleans County Health Department participated in the performance incentive program focused on expedited partner therapy for the treatment of Chlamydia trachomatis infection;

WHEREAS, the Orleans County Health Department received a \$14,515.00 award to support costs associated with Article 6 eligible services;

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

REVENUE:

01.4010.3401	State Aid	\$ 14,515.00
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APPROPRIATIONS:

01.4010.0250	Other Equipment	\$ 3,500.00
01.4010.0409	Vaccines & Medications	\$ 10,000.00
01.4010.0478	Health Promotional Supplies	\$ 1,015.00

Moved, Allport; second, Draper.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 263-621

AUTHORIZING THE FILLING OF POSITIONS IN THE PUBLIC HEALTH DEPARTMENT

WHEREAS, as a result of recent resignations from employees in the health department; now be it

RESOLVED that this Legislature does hereby authorize the filling of a vacant full-time Case Manager position (4010.39) at Grade 15 of the CSEA salary schedule, effective June 24, 2021;

FURTHER RESOLVED that this Legislature does hereby authorize the filling of a vacant part-time Clerk position (4010.41) at Grade 7 of the CSEA salary schedule, effective July 19, 2021.

Moved, Allport; second, Draper.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 264-621

AUTHORIZING OUT OF STATE TRAVEL FOR PROBATION DIRECTOR

RESOLVED, that the Legislature does hereby authorize attendance and out of state travel for Luci Welch, Probation Director, to attend the American Probation and Parole Association's (APPA) 46th Annual Training Institute held in Boston, Massachusetts from August 20, 2021 through August 26, 2021 to promote the field of Probation in New York State. No county cost.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 265-621

APPROVING NUMEROUS AGREEMENTS WITHIN THE SHERIFF'S OFFICE/DISPATCH WITH VARIOUS AGENCIES

RESOLVED, that this Legislature does hereby approve and directed to execute the following agreements between the Sheriff's Office/Dispatch with the following agencies:

EM Systems, Inc., 4043 Maple Road, Ste 211, Amherst, NY 14226, for the software support and maintenance agreement covering CAD, AVL and Mobile Data Systems in Public Safety Communications, Effective July 1, 2021 through June 30, 2026, at a cost of \$17,500 for 2021, to be paid from the Public Safety Communications Budget Account 01.3020.418-Other Contractual Expenses.

Work Fit Medical, LLC, 1160 Chili Avenue Rochester, NY 14624, for the pre-employment physical examination for law enforcement cadets and additional services as needed based on fee schedule Exhibit A, Effective July 1, 2021 through June 30, 2026 at a cost of \$580 per cadet exam for 2021, to be paid from the Sheriff's Budget Account 01.3110.418-Other Contractual.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 266-621

AUTHORIZING GRANT ACCEPTANCE AND AGREEMENT BETWEEN THE SHERIFF'S OFFICE AND NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES AND AUTHORIZING TREASURER TO SET UP NEW MONEY IN THE SHERIFF'S OFFICE AND AUTHORIZING RTV PURCHASE THROUGH THE GRANT FUNDS IN THE SHERIFF'S OFFICE

WHEREAS, Resolution No.135-320 authorized the Orleans County Sheriff's Office to participate in and submit application for funding through 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 accept the grant agreement between the NYS Division of Homeland Security and Emergency Services and the Orleans County Sheriff's Office for Operation Stonegarden FY2020, and the grant award of \$85,136.97, now be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to electronically sign e-grant SG20—1011-D00, Contract # C972409 in the amount of \$85,136.97 for the Sheriff's Office to enhance cooperation and coordination between Federal, State, local and tribal law enforcement agencies in joint operations to secure our borders, effective September 1, 2020 through August 31, 2023, now be it

FURTHER RESOLVED, that this Legislature authorizes the purchase of one (1) RTV-X1100CWL-H through Bentley Bros, Inc. 13936 State Route 31, Albion, NY 14411, in the amount of \$18,102.22 on NYS Contract # PC#67693, to be paid out of the Sheriff's Budget with this grant award for the allocation amount of \$17,868.22 out of Sheriff's Budget 3110.0486.7420-Special Grants Stonegarden 2020 and the remaining balance of \$234.00 out of the Sheriff's Budget 3110.250-Other Equipment, now be it

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to set up new monies with the Sheriff's budget from Operation Stonegarden grants as follows:

REVENUE:

01.3110.4308.7420	Homeland Security Sheriff Stonegarden 2020	\$85,136.97
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APPROPRIATIONS:

01.3110.0486.7420	Special Grants Stonegarden 2020	\$85,136.97
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Moved, Draper; second, Allport.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 267-621

AUTHORIZING THE SHERIFF'S OFFICE TO CONTINUE WITH THE ALTERNATIVES TO INCARCERATION PROGRAMS 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 for the grant period July 1, 2021 through June 30, 2022; 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, Draper; second, Allport.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 268-621

AUTHORIZING THE SHERIFF 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 2021-2022 Marine Patrol Grant for the purpose of funding marine patrols on the Erie Canal and canal pathways.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 269-621

AUTHORIZING THE SHERIFF'S OFFICE TO APPLY FOR GRANT FUNDING THROUGH THE BUREAU OF JUSTICE ASSISTANCE

WHEREAS, the Orleans County Sheriff's Office requests to continue participation in the grant funding available through the U.S. Department of Justice, Patrick Leahy, Bureau of Justice Assistance; now be it

RESOLVED, that this Legislature does hereby authorize the Sheriff to apply for grant funding through the Bulletproof Vest Partnership Initiative, administered through the Bureau of Justice Assistance, granting reimbursement up to 50% towards the cost of body armor vests purchased for law enforcement Deputy's.

FURTHER RESOLVED, that this Legislature authorizes the Chairman to electronically sign, certified, and submit application.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 270-621

AUTHORIZING THE SHERIFF'S OFFICE TO PURCHASE AN EMERGENCY PATROL VEHICLE

WHEREAS, The Sheriff's Office suffered a totaled patrol vehicle and Resolution No. 154-421 authorized the Sheriff to pursue acquisition of totaled Patrol vehicle at zero cost to county and the said amount and anything more paid by NYMIR is set up to Insurance Recovery; now be it

RESOLVED, that this Legislature authorizes the Sheriff's Office to purchase one (1) 2021 Chevrolet Tahoe pursuit at the government discount rate in the amount of \$37,695.00 from Joe Basil Chevrolet, Inc. 5111 Transit Rd. Depew, NY 14043 to be paid from Sheriff's Budget line-01.3110.0270-Capital Equipment.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 271-621

AUTHORIZING PURCHASES FOR EQUIPMENT IN THE SHERIFF'S OFFICE

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

Jurek Brothers Inc., 59 School Street, P.O. Box 408, Greenfield, MA 01301 for ammunition in the amount of \$7,480.92 on NYS Contract #PC68735 to be paid from the Sheriff's Budget Account 01.3110.250-Other Equipment.

Skywave Communication Inc., 51 Goodway Dr S, Rochester, NY 14623 for three (3) Mobile Radio's in the amount of \$9,573.30 on NYS OGS Contract #PT68722 to be paid from the Sheriff's Budget Account 01.3110.414-Automotive Parts Equipment.

GALLS, LLC, P.O. Box 71628, Chicago, IL 60694-1628 for five (5) Point Blank Bulletproof Vests in the amount of \$5,175.00 to be paid from the Sheriff's Budget Account 01.3110-415-Uniform & Cleaning Allowance with up to 50% reimbursement from FY19 & FY20 Patrick Leahy Bulletproof Vest Partnership (BVP) through the Bureau of Justice Assistance.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 272-621

AUTHORIZING FILLING VACANCIES IN THE SHERIFF'S OFFICE

RESOLVED, due to resignations, this Legislature does hereby authorize the filling of the two (2) vacant Permanent Part-time Sheriff Deputy Marine positions (3110.57) and (3110.58) in the Sheriff's Office at Grade 25 Step 1 effective July 1, 2021, now be it.

FURTHER RESOLVED, that this Legislature authorizes the filling of a vacant Permanent Part-time Work Experience Crew Leader position (3110.65) in the Sheriff's Office at Grade 24 Step 1 effective July 1, 2021.

Moved, Draper; second, Allport.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 273-621

APPROVING AGREEMENT BETWEEN ORLEANS COUNTY AND TOSHIBA BUSINESS SOLUTIONS

RESOLVED, that this Legislature approves a 48-month lease agreement between Orleans County and Toshiba Business Solutions, 100 Colvin Woods, Ste 100, Tonawanda, NY 14150 to provide one (1) Toshiba e-Studio machine effective August 1, 2021 through July 31, 2025 as follows:

Public Defender	e-Studio 4515AC	\$190.00 per month
Above bill per copy B&W	.00750 per page and Color	.04750 per page

Moved, Draper; second, Allport.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 274-621

RESOLUTION 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:

Job Development Agency, Albion, NY for funding of summer employment for TANF eligible youth, ages 16-21; to be effective May 1, 2021 through September 30, 2021 at a cost of \$96,127. County cost \$0.

Quadient, 478 Wheelers Farms Rd, Milford, CT 06461 to provide a 63 month lease on a postage meter to be used by the Department of Social Services at a monthly cost of \$181.04 billed quarterly effective August 1, 2021 through October 31, 2026. County Cost \$63.36.

Lineage, 385 N French Rd., Amherst, NY 14228 to provide a 63 month service and maintenance agreement with the Department of Social Services for postage meter for \$83.00 billed annually effective August 1, 2021 through October 31, 2026. County Cost \$29.05.

New Directions Youth & Family Services, Randolph, NY for the provision of residential foster care services; to be effective July 1, 2021 through June 30, 2022 at per diem rates as established by the State, not to exceed \$500,000. County cost will be at a percentage determined by both the program category and the financial eligibility of each child so placed.

Kids Peace National Center for Kids in Crisis, Schnecksville, PA for the provision of therapeutic foster care services; to be effective July 1, 2021 through June 30, 2022 at rates established by the New York State Office of Children and Family Services. Reimbursement will vary by child's eligibility for State and Federal funding.

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 275-621

RESOLUTION APPROVING SUBMISSION OF THE ANNUAL PLAN UPDATE OF THE CHILD AND FAMILY SERVICES CONSOLIDATED SERVICE PLAN TO THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES ON BEHALF OF SOCIAL SERVICES

WHEREAS, New York State Office of Children and Family Services requires each local district to submit an Annual Plan Update describing and explaining all available services provided to the public and changes made since the last submission was made; and

WHEREAS, the Child and Family Services plan covers the period of April 1, 2018 to March 31, 2023; and

WHEREAS, the Child and Family Services update describes any changes to the comprehensive plan, progress in implementation and strategies for improved service provision; and

WHEREAS, this present plan provides explanatory procedures and policy to those within the realm of needing services and assistance for their families; now be it

RESOLVED, that this legislature does hereby approve the complete submission of the Annual Plan Update of the Children and Family Services Consolidated Services Plan as required to the State of New York.

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 276-621

AUTHORIZING ABOLISHING AND 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 recent resignations, and reorganizations; now be it

RESOLVED, as a result of a resignation, that this Legislature does hereby authorize filling a full-time Social Welfare Examiner position (6010.1702) in the Department of Social Services at Grade 13 of the CSEA Salary Schedule effective June 24, 2021; now be it

FURTHER RESOLVED, as a result of a resignation, that this Legislature does hereby authorize filling a full-time Social Welfare Examiner position (6010.0249) in the Department of Social Services at Grade 13 of the CSEA Salary Schedule effective June 24, 2021; now be it

FURTHER RESOLVED, as a result of a promotion, that this Legislature does hereby authorize filling a full-time Clerk position (6010.0132) in the Department of Social Services at Grade 7 of the CSEA Salary Schedule effective June 24, 2021; now be it

FURTHER RESOLVED, as the result of a resignation, that this Legislature does hereby abolish a full-time Account Clerk position (6010.0408) in the Department of Social Services at Grade 9 of the CSEA Salary Schedule effective June 24, 2021; and be it

FURTHER RESOLVED, that this Legislature does hereby create a full-time Senior Account Clerk position in the Department of Social Services at Grade 10 of the CSEA Salary Schedule effective June 24, 2021; and be it

FURTHER RESOLVED, that this Legislature does hereby abolish a part-time Youth Care Worker position (6010.0231) in the Department of Social Services at Grade 8 of the CSEA Salary Schedule effective June 24, 2021; and be it

FURTHER RESOLVED, that this Legislature does hereby create a full-time Youth Care Worker position in the Department of Social Services at Grade 8 of the CSEA Salary Schedule effective June 24, 2021 and be it

FURTHER RESOLVED, that the Commissioner of Social Services is authorized to fill the newly created Senior Account Clerk and full-time Youth Care Worker positions effective June 24, 2021.

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 277-621

AUTHORIZING OFFICE FOR THE AGING TO CONTINUE PARTICIPATION IN AND APPROVE AGREEMENT BETWEEN OFFICE FOR THE AGING AND NEW YORK STATE OFFICE FOR THE AGING

RESOLVED, that the Office for the Aging is authorized to continue participation in the renewal of a grant with New York State Office for the Aging for the purpose of expanding the capacity of existing NY Connects programs and enhance its functionally. The populations served are broadened and new partners are being added to fully realize the No Wrong Door/Single Point of Entry reform; now be it

FURTHER RESOLVED, that this Legislature authorizes the Director of Orleans County Office for the Aging to reapply for the New York Connects Enhancement and Expansion grant from NYSOFA, for \$197,370 from April 1, 2021 to March 31, 2022 at no county cost

Moved, Miller; second, DeFilipps.

Adopted. 6 ayes; 1 excused, Johnson.

Legislator DeRoller stated that Timothy Winters has been a very participative person and contributes a lot to this process.

RESOLUTION NO. 278-621

APPROVING NOMINATION TO GLOW WORKFORCE DEVELOPMENT BOARD

WHEREAS, the GLOW Workforce Development Board 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 renewal of the term for Timothy Winters, President & CEO of Western New York Energy, LLC, as a Private Sector Members for Orleans County on the 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, ongoing at the discretion of the GLOW CEOs with a renewed term of July 1, 2021 through June 30, 2023.

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 279-621

AUTHORIZES ABOLISHING, CREATING AND FILLING POSITIONS IN THE JOB DEVELOPMENT AGENCY

RESOLVED, that this Legislature authorizes the abolishing of a part time Senior Account Clerk Typist position (6210.05) effective June 24, 2021; and be it

FURTHER RESOLVED, that this Legislature authorizes the creation of a full time temporary Employment & Training Program Assistant position in the Job Development Agency, at grade 7 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the newly created full time temporary Employment & Training Program Assistant position in the Job Development Agency effective June 24, 2021.

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 280-621

APPROVING APPOINTMENTS TO ORLEANS COUNTY YOUTH BOARD

WHEREAS, the Orleans County Youth Board does recommend the appointment to said Orleans County Youth Board at this time. Now, therefore, be it

RESOLVED, that this Legislature approves the following new Appointment to serve on the Orleans County Youth Board with a term and representation as noted:

New Appointment:

Katie Strusienski Yates/Lyndonville July 1, 2021 – June 30, 2024

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 281-621

APPROVING SERVICES BETWEEN ORLEANS COUNTY BOARD OF ELECTIONS AND NEW HORIZONS

WHEREAS, Resolution No. 279-620 approved a grant agreement with the New York State Board of Elections for the HAVA Cybersecurity Remediation and Mitigation Grant in the amount of \$70,729.99; now be it

RESOLVED, that this Legislature approve the Cyber Security Training by New Horizons for 400 employees for a total cost \$8,875.00 to be paid from the Election Budget Account 01.1450.0486.4277-Special Grants “HAVA Cybersecurity Remediation and Mitigation Grant. New Horizons is under General Services Administration (GSA) Federal Contract Number 47QTCA19D006M.

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 282-621

APPROVING SERVICES BETWEEN ORLEANS COUNTY BOARD OF ELECTIONS AND MAUREEN DATA SYSTEM

WHEREAS, Resolution No. 279-620 approved a grant agreement with the New York State Board of Elections for the HAVA Cybersecurity Remediation and Mitigation Grant in the amount of \$70,729.99; now be it

RESOLVED that this Legislature approve the Cyber Security Awareness Phishing Campaign by Maureen Data System for a total cost of \$5,985.00 to be paid from the Election Budget Account 01.1450.0486.4277- Special Grants “HAVA Cybersecurity Remediation and Mitigation Grant. Maureen Data Systems is under OGS Award #22772, Group 73600-PBITS (Project Based Information Technology Consulting Services) OGS Contract # PB160AA WBE/SB, MDs Inc. NYS WBE File ID 11047.

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 283-621

APPROVING AGREEMENT WITH DEPARTMENT OF PUBLIC WORKS AND SENECA PAVEMENT MARKINGS, INC.

RESOLVED, that this Legislature does hereby approve an agreement with the County Department of Public Works and Seneca Pavement Markings, Inc., 3526 Watkins Road, Horseheads, NY 14845 to provide labor, material and equipment to Centerline and Edgeline stripe County owned and maintained roads. Pricing is through the County Department of Public Works Road and Bituminous Bid resolution #130-321; to be paid from Road Fund account 03.5110.0432. Pricing is not to exceed \$65,000.00; contract period upon notice to proceed through December 31, 2021.

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

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 284-621

APPROVING AGREEMENT WITH DEPARTMENT OF PUBLIC WORKS AND KILLIAN CONSTRUCTION, LLC

RESOLVED, that this Legislature does hereby approve an agreement with the County Department of Public Works and Killian Construction, 1379 Brighton Henrietta Town Line Road, Rochester, New York 14623 to furnish a 7-ft wide self-loading mill with operator to assist the County Department of Public Works with milling various County owned and maintained road intersections. Pricing is through the County Department of Public Works Road and Bituminous Bid resolution #130-321, Project ID 130-321E; pricing is not to exceed \$10,000.00; 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, Miller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 285-621

APPROVING AGREEMENT WITH DEPARTMENT OF PUBLIC WORKS AND MIDLAND ASPHALT

RESOLVED, that this Legislature does hereby approve an agreement with the County Department of Public Works and Midland Asphalt, 640 Young Street, Tonawanda, New York 14151-

0388 to provide labor, equipment and materials to Chip Seal various County roads. Pricing is through the County Department of Public Works Road and Bituminous Bid resolution #130-321, Project ID 130-321F; to be paid from Road Fund account 03.5112.0436. Pricing is not to exceed \$330,000.00 and is reimbursable through the Consolidated Highway Improvement Program; 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, Miller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 286-621

APPROVING AGREEMENT BETWEEN THE ORLEANS COUNTY DEPARTMENT OF PUBLIC WORKS AND SUBURBAN ELECTRIC

RESOLVED, that this Legislature approves an agreement with Suburban Electric, 225 East Bank Street, Albion, New York 14411 to provide and install wiring, and fire alarm detection system peripheral equipment necessary to support the modifications and upgrades to the newly refurbished elevator at the County Office Building North at a cost of \$5,950.00; to be paid out of the Buildings and Grounds Division budget account 01.1620.0470, contract period: June 23, 2021 through December 31, 2021; 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, Miller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 287-621

APPROVING AGREEMENT BETWEEN THE ORLEANS COUNTY DEPARTMENT OF PUBLIC WORKS AND OTIS ELEVATOR

RESOLVED, that this Legislature approves an agreement with Otis Elevator, 354 Sonwill Drive, Buffalo, New York 14225 to furnish labor and materials to refurbish the Elevator at the County Office Building North location and to provide upgrades to get the elevator up to code at a cost of \$65,000.00; to be paid out of the Buildings and Grounds Division budget account 01.1620.0470-Capital Construction Projects; and be it

FURTHER RESOLVED, the pricing is through the National IPA Omnia Partners Contract #TN384899, contract period: June 23, 2021 through December 31, 2021 and that the Chairman is authorized to execute agreement subject to review and approval of the County Attorney and Chief Administrative Officer.

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 288-621

APPROVING AGREEMENTS WITH ORLEANS COUNTY DEPARTMENT OF PUBLIC WORKS AND WENDEL COMPANIES

RESOLVED, that this Legislature approves (2) two agreements with Wendel WD Architecture, Engineering, Surveying & Landscape Architecture P.C., 375 Essjay Road, Suite 200, Williamsville, New York 14221 for services during construction for the Lake Ontario REDI Projects; and be it

RESOLVED, Lake Ontario REDI Project NO. 1 Lakeshore Road is for engineering during construction and resident observation services at a cost not to exceed \$125,000.00; and be it

RESOLVED, Lake Ontario REDI Project NO. 27 Point Breeze Boat Launch is for engineering during construction, resident observation and materials testing at a cost not to exceed \$70,500.00; and be it

FURTHER RESOLVED, the cost will be paid out of the Lake Ontario REDI project bond money budget account H1620.250, and that the Chairman is authorized to execute agreements subject to the review and approval of the County Attorney and Chief Administrative Officer.

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 289-621

APPROVING AGREEMENT WITH 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 Engineering services for West County House Road Drainage Improvements in Orleans County. LaBella will perform these services under the Term Agreement for Professional Architectural and Engineering Services, Resolution No. 47-217; and

RESOLVED, this agreement is effective as soon as the County gives notice to proceed at a cost not to exceed \$14,600.00 and to be paid out of the Bridge Capital project account 03.5120.0470; 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, Miller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 290-621

AUTHORIZING THE IMPLEMENTATION, AND FUNDING OF THE COSTS OF 100% OF THE COSTS OF A TRANSPORTATION PROJECT, WHICH MAY BE ELIGIBLE FOR FEDERAL-AID AND/OR STATE-AID, OR REIMBURSEMENT FROM BRIDGE NY FUNDS

WHEREAS, a Project for the Transit Road Bridge over West Branch Sandy Creek, P.I.N. 4BNY.28 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 95% Federal funds and 5% non-federal funds; and

WHEREAS, the Labella Associates PC will design, let and construct the Project; and

WHEREAS, the Legislature of Orleans County desires to advance the Project by making a commitment of 100% of the costs of the work for the Project or portions thereof.

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

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

RESOLVED, that the Legislative Board hereby authorizes the County of Orleans to pay 100% of the cost of \$1,162,739.00 for Preliminary Engineering, Design and ROW, and construction activities for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from Bridge NY funds; and it is further and it is further

RESOLVED, that the sum of \$1,162,739.00 is hereby appropriated from Orleans County and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that the Legislative BOARD hereby agrees that the County of Orleans shall be responsible for all costs of the Project which exceed the amount of federal-aid, state-aid, or NY Bridge funding awarded to the County of Orleans; and it is further

RESOLVED, that Orleans County hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and it is further

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

FURTHER RESOLVED, that this agreement is Supplemental Agreement #1 amending previous resolution #225-519 adding additional funding for Construction, Construction Inspection and Construction Support for a total cost of \$1,162,739.00; County cost \$58,137.00; to be paid out of the Road Fund budget account: 03.5120.0470.2285: and be it

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

RESOLVED, this Resolution shall take effect immediately.

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 291-621

AWARDING AND APPROVING AN AGREEMENT BETWEEN THE DEPARTMENT OF PUBLIC WORKS AND KEELER CONSTRUCTION COMPANY

WHEREAS, the Orleans County Department of Public Works sought bids for the Construction of Lake Ontario REDI Lakeshore Project No. 01 in Orleans County on June 7, 2021; and be it

RESOLVED, this Legislature awards and accepts the low bid submitted by Keeler Construction Company, 13519 West Lee Road, Albion, New York 14411 at a bid cost of \$1,321,858.00; to be paid out of Capital Infrastructure Redi Project bond money account: H1620.250; agreement effective as soon as County gives notice to proceed; 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, Miller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 292-621

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 for the repair of a 2013 CAT AP1000E Paver for a total cost not to exceed \$6,000.00; to be paid from the Machinery fund account 04.5130.0444.

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 293-621

APPROVING AGREEMENT BETWEEN DEPARTMENT OF PUBLIC WORKS AND GARLAND/DBS, INC. AND SETTING UP NEW MONIES IN THE DEPARTMENT OF PUBLIC WORKS BUDGET

RESOLVED, that this Legislature does hereby approve an agreement between the Department of Public Works and Garland/DBS, Inc., 3800 East 91st Street, Cleveland, Ohio 44105 to provide material and construction services to repair the Courthouse Dome at a cost not to exceed \$68,295.00, to be paid out of the Buildings and Grounds Division budget code 01.1620.0470; Pricing is through OMNIA Partners purchasing agreement (MICPA) #PW1925; and be it

FURTHER RESOLVED, that this Legislature authorizes the Treasurer to set up monies in the Department of Public Works Buildings and Grounds Division budget as follows:

FROM:

Infrastructure Reserve	\$68,295.00
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TO:

01.1620.0470	Capital Projects	\$68,295.00
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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, Miller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 294-621

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

RESOLVED, that the County Treasurer is authorized to set up funds within the Department of Public Works Budget to cover the cost of Legal ads and Traffic safety purchases:

REVENUE:

03.5110.2650	Sale of Scrap	\$2,200.00
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APPROPRIATION:

03.5010.0433	Legal Ads	\$ 200.00
03.3310.0436	Traffic Safety	\$2,000.00

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 295-621

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

RESOLVED, that the Treasurer is authorized to set up monies from the Infrastructure Reserve to the Department of Public Works Buildings and Grounds Division budget to cover the cost of refurbishing the elevator in the County Office Building North as follows:

FROM:

Infrastructure Reserve \$70,950.00

TO:

01.1620.0470 Capital Plan \$70,950.00

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 296-621

AUTHORIZING FILLING OF A VACANCY IN THE DEPARTMENT OF PUBLIC WORKS

RESOLVED, as a result of a retirement, this Legislature authorizes the filling of a vacant full-time Auto Mechanic position (5110.24) at Grade H3 of the CSEA Salary schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of this vacant position; effective July 1, 2021; and be it

FURTHER RESOLVED, should this position be filled with an employee of the Department of Public Works that this Legislature authorize the filling of the newly vacant position effective immediately.

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 297-621

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT LAKE ONTARIO REDI ACCOUNT

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

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$4,500.00	Wendel	Professional services for Point Breeze No. 27 REDI Project rendered through 4/30/21

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

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
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\$35,279.58 Wendel

Professional services for Lakeshore Road No. 1 REDI
Project rendered through 4/30/21

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 298-621

AUTHORIZING DIRECTOR OF EMERGENCY MANAGEMENT TO APPLY FOR 2020 STATEWIDE INTEROPERABLE COMMUNICATIONS FORMULA GRANT

RESOLVED, that this Legislature authorizes the Director of Emergency Management to apply for the FY2020 Interoperable Communications Formula Based Grant (SICG) program through the NYS Division of Homeland Security and Emergency Services Office. The dates of the grant are from 01/01/21 through 12/31/23. This will aid in making the necessary improvements and provide for sustainment of land mobile radio systems, maintenance components supporting interoperability, continuous training and exercise for our first responders, sustainment and further development of governance structure.

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

RESOLUTION NO. 299-621

AUTHORIZING EXPENDING STATE INTEROPERABLE COMMUNICATIONS FORMULA FY19 GRANT FUNDS IN EMERGENCY MANAGEMENT AND AUTHORIZING TREASURER TO SET UP MONEY IN THE EMERGENCY MANAGEMENT BUDGET

RESOLVED, that this Legislature authorize the Director of Emergency Management to expend NYS DHSES SICG FY2019 Formula Grant Funds in the amount of \$100,000.00 to L3Harris (NYS OGS Contract #PT67542) for additional funding necessary for the 2018 Targeted Grant Radio Project; and be it

FURTHER RESOLVED, that this Legislature authorize the Director of Emergency Management to expend NYS DHSES SICG FY2019 Formula Grant funds in the amount of \$47,821.00 to Better Power Inc., 200 Mile Crossing Blvd., Rochester, NY (MWBE certified and NYS HIRE Contract #PC69013) for one Generac 80KW generator with 400amp transfer switch for the EMO and one additional Generac 600amp transfer switch for the Public Safety Building-both for the P25 700/800 MHz radio system; and be it

FURTHER RESOLVED, that this Legislature authorizes the County Treasurer to set up FY19 SICG grant funds as follows:

REVENUE:

01.3640.4309.1974 Statewide Interop Communications Grant \$147,821.00

APPROPRIATION:

01.3640.0486.1974 Special Grants - DHSES SICG FY 2019 \$147,821.00

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

Legislator Miller moved to amend this resolution adding Legislator Merle Draper to travel out of state.

RESOLUTION NO. 300-621

AUTHORIZING OUT OF STATE TRAVEL FOR ORLEANS COUNTY LEGISLATORS

RESOLVED, that the Legislature does hereby authorize out of state travel for Chairman Lynne Johnson and Legislator Merle Draper, to travel to Washington, DC from July 8, 2021 through July 13, 2021 to attend the NACo Annual conference.

Moved, Miller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

Legislator DeRoller added that the Help Wanted Act H.R. 3148 is designed to put Americans back to work. This will require the state to restore work search requirements, strikes the provision of the CARES Act that allows individuals to collect benefits of those that voluntary left their jobs and clarifies that individuals can no longer collect pandemic unemployment assistance if they decline work based on the generic Covid responsibility.

RESOLUTION NO. 301-621

SUPPORTING THE HELP WANTED ACT H.R. 3148 PUTTING AMERICANS BACK TO WORK AND REBUILDING OUR ECONOMY

WHEREAS, the Coronavirus Aid, Relief and Economic Security Act (CARES) imposed certain requirements on individuals seeking pandemic unemployment assistance and other purposes, and

WHEREAS, there is a severe national labor shortage caused by CARES Act federal unemployment policy changes, and

WHEREAS, the CARES Act has eliminated the requirement of individuals receiving benefits to search for work, and

WHEREAS, the CARES Act allows individuals to collect unemployment benefits if they voluntarily left their jobs, now be it

RESOLVED, that this Legislature support the Help Wanted Act H.R. 3148, putting Americans back to work and rebuilding our economy, and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward a copy of this Resolution to Congressman Chris Jacobs, all other NYS Congressional Representatives, Senator Schumer, Senator Gillibrand, Senator Ortt, NYSAC-Ryan Gregoire, Inter-County Assoc. of Western NY, GLOW WDB and all others deemed necessary and proper.

Moved, DeRoller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

Legislator Allport stated that this resolution is nothing but another assault on the US Constitution 2nd Amendment and NYS Constitution in the early 1900's guarantee that no law would be used to circumvent our second amendment right. This is opposing a bill saying, that if I was in the woods cutting down a tree and had an accident, I could sue the axe company.

RESOLUTION NO. 302-621

URGING THE NEW YORK STATE GOVERNOR TO NOT SIGN NEW YORK STATE SENATE BILL S7196/ASSEMBLY BILL A6762 INTO LAW

WHEREAS, Senate Bill S7196/Assembly Bill A6762 seeks to impose liability on firearms manufactures who lawfully design, manufacture, market, distribute, import and sell firearms in compliance with all federal, state and local laws; and

WHEREAS, the US Supreme Court has ruled the Second Amendment protects the right of individuals to keep and bear arms and that the Second Amendment applies to the States; and

WHEREAS, Senate Bill S7196/Assembly Bill A6762 seeks to impose liability on law-abiding firearms business for the criminal misuse of firearms which is contrary to the will of Congress which enacted the Protection of Lawful Commerce in Arms Act (PLCAA); and

WHEREAS, this may set a negative precedent of liability on other lawful businesses (i.e. care companies, "mom and pop" sporting goods stores, beer and alcohols sales); now be it

RESOLVED, that this Legislature authorizes, on behalf of the employees of local businesses, and the residents of Orleans County urge the Governor of the State of New York to not sign this bill into law; and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this Resolution to Governor Andrew M. Cuomo, Senator Robert Ort, Assemblyman Steve Hawley, Assemblyman Michael Norris, NYSAC and all others deemed necessary and proper.

Moved, Allport; second, Draper.
Roll Call: 6 ayes-Allport, DeFilipps, DeRoller, Draper, Eick, Miller; 1 excused-Johnson.
Adopted.

RESOLUTION NO. 303-621

AUTHORIZING PAYMENT OF CLAIMS FOR JULY 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 July 14, 2021:

<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 July 28, 2021:

<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, Miller; second, DeFilipps.
Adopted. 6 ayes; 1 excused, Johnson.

Vice Chairman Eick opened the floor to the Legislators for any unfinished business. Legislator DeRoller stated that he just got a text that Erie County also embraced the Help Wanted Act H.R. 3148.

Vice Chairman Eick opened the floor to Public Comment. There being none, Legislator DeRoller moved to adjourn; second by Legislator DeFilipps. Meeting adjourned at 5:00 p.m.