

Legislature Meeting August 22, 2023

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

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

The Clerk presented the following communications:

Orleans County EMO Director Justin Niederhofer has asked to hold the Annual 9/11 Memorial Service in the Courthouse Square to include the use of power. **Board Approved**

The United Way is asking to hang a banner September 10, 2023-September 23, 2023 to promote the programs and services funded by donations from our community. The banner will highlight the fact that September is United Way Month. **Board Approved**

Legislature Office received a phone call from Jay Boyd to express what a fantastic job Jack Welch is doing for our County.

The following letter was received from the Orleans County Fire Chiefs Association and the Orleans County Fire Advisory Board.

August 16, 2023

Honorable Legislators-

On behalf of the *Orleans County Fire Chiefs Association and Orleans County Fire Advisory Board* I am writing to request the Orleans County Legislature move forward on replacing the Emergency Management building on West County House Rd.

The present facility is woefully outdated and incompatible with the needs of the Office of Emergency Management and the fire service of Orleans County. A proper building that is ADA compliant, technologically up-to-date and that allows for large group instruction is both necessary and long overdue.

We realize the cost is substantial but it is also necessary. The building built during the heart of the Cold War period is simply not amenable to the needs of 2023. Please do all in your power to make a new, modern facility a reality.

Respectfully,

Allen Turner, Secretary/Treasurer-Fire Chiefs Association and Secretary-Fire Advisory Board

Clerk of the Legislature Lisa Stenshorn has received the designation of being a Certified Legislative Board Clerk. This was given by the New York State Association of Clerks of County Legislative Boards.

Legislator Miller presented a Proclamation declaring August as Child Support Month. Present to receive the Proclamation were the following employees from the Child Support Office: Coordinator, Danielle Kickbush, Jennifer Hammons, Holden Carter, Pam Jenks and Danielle Champeney

Legislator Miller presented a Proclamation declaring September as United Way Month. Present to receive the Proclamation was Executive Director Nyla Gaylord.

Treasurer Kimberly DeFrank stated that cash flow is doing well. Today was the County Action. Due to the Tyler vs. Henn case the US Supreme Court unanimous decided that local governments seeking forfeiture property as compensation as for a public debt may not profit from it beyond the

amount a person owes to us. We are still waiting a decision by the NYS Legislatures as to how to handle any profit that we might make off of an auction. We have been advised by NYSAC and Treasurers Association to hold any excess funds in a trust until further decision are made. From today's sale of 27 parcels, will get all debt on 17 of these properties. We will take a loss on the other 10. There is 1 parcel that we have been holding since 2003. With a lot of help from the County Attorney, we were able to come to an agreement with the Environmental Protection Agency to get this property back on the tax roll and into the hands of someone that will do something good with this house. This property took a lot of work. I do recommend they all be approved today. CAO Welch stated that based on what you said about the Supreme Court decision will put our loss from the sale at approximately \$436,000.00. The profit from the 17 parcels will go into a trust. The taxes, penalties and interest will be paid off, any funds raised above those amounts will go into a trust.

Chairman Johnson asked the Legislators if there was any open discussion or comments.

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

RESOLUTION NO. 377-823

AUTHORIZING REPAIR SERVICE FOR THE SHERIFF'S DEPARTMENT

RESOLVED, that this Legislature authorizes a service repair bill from D&K Auto, 338 Childs St, Albion, NY 14411, for the repair of a 2022 Chevy Tahoe at a total cost of \$8,921.89, to be paid from Sheriff's Office budget 01.3110.414-Automotive parts.

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

RESOLUTION NO. 378-823

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

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

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

REVENUE:

01.0001.2705	Gifts & Donations	\$100.00
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APPROPRIATION:

01.3110.0499	K9 – Sheriff	\$100.00
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Moved, Draper; second, Allport.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 379-823

APPROVING AGREEMENT WITH ORLEANS COUNTY DEPUTY SHERIFF'S ASSOCIATION (OCDSA)

RESOLVED, that this Legislature approves an agreement with the Orleans County Deputy Sheriff's Association (OCDSA) amending and extending the current 2021 through 2024 agreement; said agreement under Article 15 includes compressing the existing steps to four steps in each grade and a 2% salary increase for 2024, 2025, and 2026; as well as some housekeeping issues throughout the agreement.

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

RESOLUTION NO. 380-823

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

WHEREAS, Resolution No. 299-623 authorized the creation and filling of a full-time Public Safety Dispatcher position (3020.16) in the Sheriff's Dispatch; now be it

RESOLVED, that this Legislature, subsequent to the filling of full-time Public Safety Dispatcher position (3020.16), does hereby authorize the filling of a vacant part-time Public Safety Dispatcher position in the Sheriff's Communications Division at \$15.99 – Valid EMT or Paramedic Certification \$ 18.98 per hour effective August 30, 2023; and be it

FURTHER RESOLVED, that due to a resignation in the Sheriff's Road Division, this Legislature does hereby authorize the filling of a part-time Deputy Sheriff (3110.89) in the Sheriff's Road Division at \$ 25.38 per hour, effective August 30, 2023; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the creation of two (2) temporary full-time Correction Officer positions (3150.19* and 3150.49*) in the Sheriff's Corrections Division at a Grade 5 of the Orleans County Sheriff's Employees Association (OCSEA) salary schedule, effective August 22, 2023; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the filling of two (2) temporary full-time Correction Officers, effective August 22, 2023; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize that the temporary positions (3150.19* and 3150.49*) shall be abolished as each aforementioned employees returns to full duty; and be it

FURTHER RESOLVED, that due to a resignation in the Sheriff's Office, this Legislature does hereby authorize the filling of a vacant full-time Deputy Sheriff's position (3110.48) in the Sheriff's Road Patrol at a Grade 1 of the OCDSA salary schedule, effective August 30, 2023; and be it

FURTHER RESOLVED, that due to a resignation in the Sheriff's Office Animal Control Division, this Legislature does hereby authorize the filling of one (1) vacant full-time Animal Control Officer position (3510.04) in the Sheriff's Animal Control Division at a Grade 4, of the Management Compensation Plan effective August 30, 2023.

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

RESOLUTION NO. 381-823

AUTHORIZATION TO APPROVE REQUEST FOR EXTENDED SICK LEAVE AT HALF PAY FROM THE SHERIFF'S OFFICE

WHEREAS, section 12.2.1 of the OCSEA collective bargaining agreement provides for extended sick leave at half pay upon the request of the employee with the approval of the County Legislature and Sheriff, and

WHEREAS, this member of the OCSEA union has exhausted all accumulated sick leave time; and

WHEREAS, this member of the OCSEA union has requested a 30-day extended sick leave at half pay; and

WHEREAS, this member of the OCSEA union has supplied to appropriate medical documentation for this request; and

WHEREAS, the Sheriff is in support of granting this request; be it now

RESOLVED, that this Legislature grants approval of this request for a 30-day extended sick leave at the rate of one half pay for position 3150.43, to begin July 30, 2023 and ending August 30, 2023; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chief Administrative Officer to grant any future extensions that are appropriate in this case.

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

RESOLUTION NO. 382-823

AUTHORIZING THE OFFICE OF EMERGENCY MANAGEMENT TO EXPEND FUNDS FOR THE PURCHASE OF EMERGENCY OPERATIONS CENTER SOFTWARE

RESOLVED, that this Legislature authorizes the Director of Emergency Management to expend \$6,335.50 from Emergency Management Performance Grant (EMPG) FY22, \$6,335.50 from matching county funds, and \$79.00 from the EMO budget (01.3640.0418) to purchase WebEOC, an Emergency Operations Center software application from JUVARE LLC/ESi

Acquisitions Inc, 235 Peachtree St NE, Suite 2300, Atlanta, GA 30303, at a cost not to exceed \$12,750.00; and be it

FURTHER RESOLVED, annual subscription costs of \$11,250.00 will be funded by future grant funding opportunities.

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

RESOLUTION NO. 383-823

AUTHORIZING FILLING VACANCY IN THE PROBATION DEPARTMENT

RESOLVED, that this Legislature authorizes the filling of a full-time Probation Officer position (3140.07) in the Probation Department at a Grade 18 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of the vacant position effective September 1, 2023.

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

RESOLUTION NO. 384-823

AMENDING RESOLUTION NO. 14-123 IN THE MENTAL HEALTH DEPARTMENT

WHEREAS, Resolution No. 14-123 between the Mental Health Department and Spectrum Human Services was approved through August 31, 2023 and it is necessary to extend this agreement; now be it

RESOLVED, that this Legislature approves amending Resolution No. 14-123 with Spectrum Human Services, Inc., 227 Thorn Avenue, P. O. Box 631, Orchard Park, NY 14127-0631 providing mental health crisis response services via their CARES Team to residents of Orleans County from January 1, 2023 to August 31, 2023 at a cost of \$89,387. Funding provided by New York State Office of Mental Health from reinvestment of Medicaid dollars due to the closing of the Medina Behavioral Health Unit, effective through December 31, 2023, County cost is \$20,000.00 to be paid from Mental Health budget 01.3495.0467; and be it

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

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

RESOLUTION NO. 385-823

APPROVING AN AGREEMENT BETWEEN MENTAL HEALTH DEPARTMENT AND BRIAN AMOS, M.S., PH.D.

RESOLVED, that this Legislature approves an agreement between Mental Health and Brian S. Amos, M.S., Ph.D., 1556 Fallen Leaf Terrace, Webster, NY 14580, providing services as a consulting psychologist for an average of 18 of approved on-site and off- site hours per week for the duration of this contract August 18, 2023 thru August 17, 2024 at an hourly rate of \$133.00. County cost is \$8,044.00.

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

RESOLUTION NO. 386-823

APPROVING AN AGREEMENT BETWEEN MENTAL HEALTH DEPARTMENT AND BRENDA L BIERDEMAN, PSY.D.

RESOLVED, that this Legislature approves an agreement between Mental Health and Brenda L Bierdeman, Psy.D. effective September 1st, 2023 with no end date, for the purpose of the Orleans County Mental Health Department to take over and maintain her confidential records as result of Ms. Bierdeman' s retirement. County cost is \$0.

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

RESOLUTION NO. 387-823

APPROVING THE MENTAL HEALTH DEPARTMENT TO ADD MIFI'S TO THE VERIZON ACCOUNT AND APPROVING MIFI USE AGREEMENTS IN THE MENTAL HEALTH DEPARTMENT

RESOLVED, that this Legislature authorizes the Mental Health Department to upgrade 3 MiFi's on the Verizon account, to be paid at \$37.99 per unit per month from Mental Health budget 01.4310.0421 – Telephone; and be it

FURTHER RESOLVED, that this Legislature approves the Department of Mental Health MiFi Use Agreement and further authorizes the use of these MiFi's for the following positions at the Mental Health Department: 4310.06, 4310.16, 4310.49.

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

RESOLUTION NO. 388-823

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 \$13,125.00

APPROPRIATION:

01.4310.0418 Other Contractual \$13,125.00

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 \$13,125.00

APPROPRIATION:

01.6510.0486 Special Grants \$13,125.00

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

RESOLUTION NO. 389-823

APPROVING AGREEMENTS BETWEEN THE PUBLIC HEALTH DEPARTMENT AND VARIOUS AGENCIES

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

Medina Central School District, One Mustang Drive, Medina, NY 14103. To provide center-based/evaluation/Special Education Itinerant Services (SEIS) to Orleans County children (ages 3-5) who are eligible for the Preschool Supportive Health Services Program. There is partial reimbursement from the New York State Education Department and Medicaid. Center-based tuition, evaluation rates and SEIS rates are set by New York State. Effective March 1, 2023 through June 30, 2025 to run congruent with last agreement.

Room To Bloom Therapy Services, LLC. 1850 Buffalo Road, Suite 200, Rochester, NY 14624. To provide center-based/evaluation/Special Education Itinerant Services (SEIS) to Orleans County children (ages 3-5) who are eligible for the Preschool Supportive Health Services Program. There is partial reimbursement from the New York State Education Department and Medicaid. Center-based tuition, evaluation rates and SEIS rates are set by New York State. Effective March 1, 2023 through June 30, 2025 to run congruent with last agreement.

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

RESOLUTION NO. 390-823

AUTHORIZING OUT OF STATE TRAVEL FOR HEALTH DEPARTMENT EMPLOYEE

RESOLVED, that this Legislature does hereby authorize out of state travel by Jacob Bensley, Environmental Health Specialist to attend the 2023 FDA Northeast Retail Food Protection Seminar to be held at The Hotel Northampton, 36 King Street, Northampton, Massachusetts from September 19, 2023 through September 22, 2023. Costs covered by HRI -PH Infrastructure, Workforce & Data Systems Grant. No County Cost.

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

RESOLUTION NO. 391-823

AUTHORIZING FILLING POSITION IN THE PUBLIC HEALTH DEPARTMENT

WHEREAS, we have received notice of retirement from a Senior Environmental Health Specialist effective September 3, 2023; now be it

RESOLVED, that this Legislature does hereby authorize the filling of the vacant Senior Environmental Health Specialist position (4010.42) in the Public Health Department at Grade 20 of the CSEA schedule effective September 5, 2023.

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

RESOLUTION NO. 392-823

APPROVING ORLEANS COUNTY BOARD OF ELECTIONS GRANT EXTENSION AND INCREASE OF FUNDS RECEIVED FROM NYS BOARD OF ELECTIONS AND AUTHORIZING COUNTY TREASURER TO SET UP NEW MONEY

WHEREAS, Resolution No. 382-821 authorized the Board of Elections to enter into an agreement for a Technology Innovation and Elections Resource (TIER) Grant (BOE01-T0004377-1110000) with and end date of January 27, 2023; now be it

RESOLVED, that this Legislature does hereby approve the extension of said grant effective through January 28, 2024; and be it

FURTHER RESOLVED, that this Legislature authorize the acceptance of additional funds in the amount of \$42,238.18; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up new monies in the Board of Elections budget as follows:

REVENUE:

01.1450.3218.2023	Elections Services	\$42,238.18
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APPROPRIATION:

01.1450.0486.3218	Special Grants – Technology Innovation And Election Resource (TIER) Grant	\$42,238.18
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Moved, Allport; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 393-823

APPROVING ORLEANS COUNTY BOARD OF ELECTIONS GRANT EXTENSION AND INCREASE OF FUNDS RECEIVED FROM NEW YORK STATE BOARD OF ELECTIONS AND AUTHORIZING COUNTY TREASURER TO SET UP NEW MONEY

WHEREAS, Resolution No. 467-922 authorized the Board of Elections to enter into agreement for Absentee Ballot Pre-Paid Postage Grant (BOE01-T004602-1110000) with an end date of December 31, 2022; and

WHEREAS, \$15,090.02 of these unexpended reimbursable funds were not spent, now be it

RESOLVED, that this Legislature does hereby approve the extension of said grant in the amount of \$15,090.02 effective through March 31, 2024; and be it

FURTHER RESOLVED, that this Legislature authorizes the acceptance of additional funds in the amount of \$16,533.33; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up old and new monies in the Board of Elections budget as follows:

REVENUE:

01.1450.3219.2023	Elections Services	\$31,623.35
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APPROPRIATION:

01.1450.0486.3219	Special Grants-Absentee Ballot Pre-Paid Postage Grant	\$31,623.35
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Moved, Allport; second, Miller.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 394-823

AUTHORIZING EXPANSION OF HOURS FOR DEPUTY ELECTIONS COMMISSIONERS IN THE ORLEANS COUNTY BOARD OF ELECTIONS

RESOLVED, that this Legislature does hereby authorize the expansion of hours from thirty-five (35) to forty (40) per week for the two (2) positions of Deputy Elections Commissioners (1450.03 and 1450.04) in the Board of Elections effective March 13, 2023; and be it

FURTHER RESOLVED, that this Deputy Elections Commissioners positions (1450.03 and 1450.04) will have an increase in salary to \$56,759.00 that reflects the change in hours effective March 13, 2023.

Moved, Allport; second, Miller.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 395-823

AUTHORIZING CREATING AND FILLING POSITIONS IN THE BOARD OF ELECTIONS

RESOLVED, that due to a retirement, this Legislature does hereby authorize the filling of the vacant full-time Deputy Elections Commissioner position (1450.04), at Grade 3, Step 9 of the Management Compensation Plan effective August 24, 2023; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the creation and filling of two (2), temporary part-time Senior Election Clerk positions (1450.15 and 1450.16) in the Board of Elections at a rate of \$22.50 per hour effective August 28, 2023 thru August 27, 2024.

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

RESOLUTION NO. 396-823

APPROVING SUPPLEMENTAL NO. 1 AGREEMENT WITH THE DEPARTMENT OF PUBLIC WORKS AND LABELLA ASSOCIATES

RESOLVED, that this Legislature does hereby approve a Supplemental No. 1 agreement with the Department of Public Works and Labella Associates PC, 300 State Street, Suite 201, Rochester, NY 14614 to perform Construction Support and Construction Inspection for the Replacement of Lakeshore Road Bridge over Unnamed Creek in the Town of Yates. Bin #3319090, Pin 4BNY.41; and be it

FURTHER RESOLVED, this agreement is effective as soon as the County gives notice to proceed at a cost not to exceed \$114,200.00 and is 95% reimbursable through the "Bridge NY" Funding; county cost \$5,710.00; and be it

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

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

RESOLUTION NO. 397-823

APPROVING AGREEMENT WITH THE DEPARTMENT OF PUBLIC WORKS AND LABELLA ASSOCIATES

RESOLVED, that this Legislature does hereby approve an agreement with the Department of Public Works and Labella Associates PC, 300 State Street, Suite 201, Rochester, NY 14614 to perform Preliminary Engineering and Design, ROW Incidentals and ROW Acquisition for the Preventive Maintenance No. 1 Bridge TIP Project consisting of 7 bridges. Bins: 2266640, 3319130, 3361960, 3361970, 3361980, 3319110, and 3319380 in the Towns of Gaines, Carlton and Hamlet of Kent. Pin 4OR0.07, NYS DOT Contract #D040812; and be it

FURTHER RESOLVED, this agreement is effective as soon as the County gives notice to proceed at a cost not to exceed \$90,100.00 and is 80% reimbursable through Federal Funds, 15% Marchiselli Funds; county cost \$4,505.00; and be it

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

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

RESOLUTION NO. 398-823

APPROVING AGREEMENT WITH THE DEPARTMENT OF PUBLIC WORKS AND LABELLA ASSOCIATES

RESOLVED, that this Legislature does hereby approve an agreement with the Department of Public Works and Labella Associates PC, 300 State Street, Suite 201, Rochester, NY 14614 to perform Preliminary Engineering and Design, ROW Incidentals and ROW Acquisition for the Preventive Maintenance No. 2 Bridge TIP Project consisting of 9 bridges. Bins: 3318850, 3318880, 3318950, 3318970, 3319150, 3319160, 3319200, 3319290, 3319300 in the Towns of Carlton, Murray, Kendall and Shelby, Pin 4OR0.08, NYS DOT Contract #D0408132; and be it

FURTHER RESOLVED, this agreement is effective as soon as the County gives notice to proceed at a cost not to exceed \$90,100.00 and is 80% reimbursable through Federal Funds, 15% Marchiselli Funds; County cost \$4,505.00; and be it

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

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

RESOLUTION NO. 399-823

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 inspections at the Mental Health Department for a total annual cost of \$590/year: Contract period: August 22, 2023 through August 21, 2026; to be paid out of the Buildings and Grounds Division budget 01.1620.0447.

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

RESOLUTION NO. 400-823

AGREEMENT BETWEEN THE ORLEANS COUNTY DEPARTMENT OF PUBLIC WORKS AND KEELER CONSTRUCTION CO., INC.

RESOLVED, that this Legislature does hereby approve an agreement with the County Department of Public Works and Keeler Construction Co., Inc., 13519 West Lee Road, Albion, New York 14411 to furnish a paver, operator and screedman to assist the County DPW with paving the Mental Health Building parking lot located at 14014 Route 31 West, Albion, New York. Project ID: DPW97-2023. Pricing is through the Road and Bituminous Bid award resolution #151-323 with a cost not to exceed \$7,500.00; to be paid out of Buildings and Grounds Division Budget 01.1620.0470-Capital Project.

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

RESOLUTION NO. 401-823

AMENDING AGREEMENT BETWEEN THE ORLEANS COUNTY DEPARTMENT OF PUBLIC WORKS AND KEELER CONSTRUCTION CO., INC.

WHEREAS, Resolution No. 358-723 approved an agreement between the Department of Public Works and Keeler Construction Company to provide labor, equipment and materials to pave portions of Yates Carlton Townline Road and Oak Orchard River Road; and

WHEREAS, a paving modification schedule requires an adjustment to allow for more time for paving these designated roads. As a result of the additional time requirement, the Contract price will necessitate an increase; now be it

RESOLVED, that this Legislature does hereby approve amending the contract between the County Department of Public Works and Keeler Construction Co., Inc., 13519 West Lee Road, Albion, New York 14411; Project ID: DPW92-2023 to increase the cost not to exceed \$60,000.00. Projects are reimbursable through the Consolidated Highway Improvement Program, County Cost \$0.00.

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

RESOLUTION NO. 402-823

APPROVING AGREEMENTS 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 portions of Yates Carlton Townline Road. Pricing is through the County Department of Public Works Road and Bituminous Bid resolution #151-323, Project ID DPW98-2023; pricing is not to exceed \$5,000.00 and reimbursable through the Consolidated Highway Improvement Program, Cost County \$0.00; to be paid out of the Highway Division Budget code 03.5112.0436; and be it

FURTHER 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 the parking lot for the County Mental Health Department located at 14014 Route 31 West, Albion, New York. Pricing is through the County Department of Public Works Road and Bituminous Bid Resolution No. 151-323. Project ID DPW99-2023, pricing is not to exceed \$5,000.00; to be paid out of the Buildings and Grounds Division Budget 01.1620.0470-Capital Projects.

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

RESOLUTION NO. 403-823

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 Pugmill 1,500 tons of 5/8" crusher run for Yates Carlton Townline Road and Oak Orchard River Road. Pricing is through the County Department of Public Works Road and Bituminous Bid Resolution No. 151-323, Project ID DPW101-2023; to be paid from Road Fund budget 03.5112.0436. Pricing is not to exceed \$75,000.00 and is reimbursable through the Consolidated Highway Improvement Program, County Cost \$0.00.

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

RESOLUTION NO. 404-823

APPROVING AGREEMENTS WITH DEPARTMENT OF PUBLIC WORKS AND ZEBRA PAINTING STRIPING

RESOLVED, that this Legislature does hereby approve an agreement with the County Department of Public Works and Zebra Paint Striping, 7590 Airport Road, Hornell, NY 14843, 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 No. 151-323; cost not to exceed \$100,000.00; contract period August 23, 2023 through December 31, 2023; and be it

FURTHER RESOLVED, that this Legislature does hereby approve an agreement with the County Department of Public Works and Zebra Paint Striping, 7590 Airport Road, Hornell, NY 14843, to provide labor, material and equipment to stripe new pavement markings at County Building Parking Lots. Pricing is through the County Department of Public Works Road and Bituminous Bid Resolution No. 151-323; cost not to exceed \$4,500.00; contract period August 23, 2023 through December 31, 2023.

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

RESOLUTION NO. 405-823

APPROVING AGREEMENT BETWEEN DEPARTMENT OF PUBLIC WORKS AND MONROE TRACTOR

RESOLVED, that this Legislature does hereby approve an agreement with the Department of Public Works and Monroe Tractor, 5035 Genesee Street, Buffalo, New York 14225 for a rental agreement for a Road Widener from August 21, 2023 through September 5, 2023; NYS OGS Rental Award #23182, PC#69114 at a cost of \$3,300.00/week; rental is reimbursable through the Consolidated Highway Improvement Program.

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

RESOLUTION NO. 406-823

AMENDING RESOLUTION NO. 262-523 BETWEEN DEPARTMENT OF PUBLIC WORKS AND WENDEL COMPANIES FOR ENERGY PERFORMANCE CONTRACT

WHEREAS, Resolution No. 402-822 approved an agreement with Wendel Companies for an Energy Performance Contract at \$178,442.49; and

WHEREAS, Resolution No. 262-523 approved an agreement with Wendel Companies for Professional Services for a Roofing Structural Evaluation at \$8,000.00; and

WHEREAS, Resolution No. 262-523 should have stated the agreement was Amendment No. 1 to the Energy Performance Contract; now be it

RESOLVED, that this Legislature approves amending Resolution No. 262-523 as Amendment No. 1 to the Energy Performance Contract for a total cost of \$186,442.49.

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

RESOLUTION NO. 407-823

APPROVING AMENDMENT NO. 2 TO THE ENERGY PERFORMANCE CONTRACT

RESOLVED, that this Legislature does hereby approve Amendment No. 2 to the Energy Performance Contract between the Department of Public Works and Wendel Companies, 375 Essjay Road, Suite 200, Williamsville, New York 14221 in the amount of \$56,187.00 for the implementation of the Energy Management Systems upgrades at Veterans Office, Central Hall, Emergency Management and Animal Control, as well as HVAC upgrades at the Department of Public Works; to be paid out of the Buildings and Grounds Division budget 01.1620.0470-capital projects; and be it

FURTHER RESOLVED, the total project cost for the Energy Performance Contract is \$242,629.49.

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

RESOLUTION NO. 408-823

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 Lakeshore Road over Unnamed Creek Bridge Replacement, P.I.N. 4BNY.41 (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 \$1,050,875.00 for Preliminary Engineering, Design, ROW Acquisition and Incidentals and Construction Inspection and Support work 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 \$1,050,875.00 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 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, Eick; second, Morgan.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 409-823

AUTHORIZING DEPARTMENT OF PUBLIC WORKS TO APPLY FOR AND ACCEPT GRANT FOR STATE AND MUNICIPAL FACILITIES CAPITAL PROGRAM (SAM) GRANT

RESOLVED, that this Legislature authorizes the Department of Public Works to apply for the State and Municipal Facilities Capital Program (SAM) Grant in the amount of \$150,000.00 to assist in the purchase of a Road Widener with a start date of August 2023 and an anticipated completion date of October 2024; and be it

FURTHER RESOLVED, the remaining dollar amount for the Road Widener will be funded through the Consolidated Highway Improvement Program; No County cost; and be it

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

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

RESOLUTION NO. 410-823

APPROVING EMERGENCY REPAIR BETWEEN THE DEPARTMENT OF PUBLIC WORKS AND TRANE

RESOLVED, that this Legislature hereby approves an emergency repair with Trane U.S. Inc., 45 Earhart Drive, Suite 103, Buffalo, New York 14221 to do an emergency repair on the Roof Top Unit RTU-7 at the Public Safety Building at a cost of \$6,740.00 pricing through OMNIA Racine #3341; to be paid out of the budget code: 01.1620.0403.

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

RESOLUTION NO. 411-823

AMENDING RESOLUTION FOR EQUIPMENT PURCHASES FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, Resolution 265-523 approved purchases for multiple pieces of equipment for a total cost of \$125,769.36; and

WHEREAS, purchase order #63515 was created to reflect the vendor as Bentley Bros. and the County DPW was informed after the purchase order was created that some designated pieces of equipment on purchase order #63515 were being purchased and billed directly through another vendor; now be it

RESOLVED, that this Legislature does hereby amend Resolution 265-523 to reflect the purchase of multiple pieces of equipment from Bentley Bros, 13936 Route 31 West, Albion, NY 14411 at a cost of \$83,723.72 and Ariens Company, P.O. box 71237, Chicago, IL 60694-1237 at a cost of \$42,045.00 for a total cost of \$125,769.36.

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

RESOLUTION NO. 412-823

APPROVING EMERGENCY PURCHASE OF A CMC 72HD+ ARBOR PRO AND AUTHORIZING THE COUNTY TREASURER TO SETUP MONIES WITHIN THE DEPARTMENT OF PUBLIC WORKS BUDGET

RESOLVED, that this Legislature does hereby approve an emergency purchase of a CMC 72HD+ ARBOR Pro from SkyWorks Equipment Rental, 100 Thielman Drive, Buffalo, New York 14206 at a cost not to exceed \$137,000.00. Reimbursable through the Consolidated Highway Improvement Program (CHIPS), County Cost \$0.00; and be it

FURTHER RESOLVED, that the County Treasurer is authorized to set up monies within the Department of Public Works budget as follows:

REVENUE:

04.5130.3501	Machinery CHIPS Revenue Account	\$137,000.00
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APPROPRIATION:

04.5130.0270	Machinery Capital Equipment	\$137,000.00
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Moved, Eick; second, Morgan.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 413-823

AUTHORIZING COUNTY TREASURER TO TRANSFER FUNDS IN THE DEPARTMENT OF PUBLIC WORKS

RESOLVED, that this Legislature authorizes the Orleans County Treasurer to transfer monies in the Buildings and Grounds Division budget for the purpose of utilizing the proper budget code for an appliance purchase as follows:

FROM:

01.1620.0403	Maintenance Projects	\$1,100.00
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TO:

01.1620.0211	Appliances	\$1,100.00
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and be it

FURTHER RESOLVED, that this Legislature authorizes the Orleans County Treasurer to transfer monies in the Highway Division budget for the purpose of utilizing the proper budget code for an annual software subscription purchase as follows:

FROM:

04.5130.0432	Miscellaneous Contracts	\$4,628.00
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TO:

04.5130.0225	Software Subscription	\$4,628.00
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Moved, Eick; second, Morgan.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 414-823

DESIGNATING THE TOURISM PROMOTION AGENCY AND AUTHORIZING APPLICATION FOR THE 2024 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 2024 New York State Matching Funds Program; and be it

FURTHER RESOLVED, that the TPA Project Director is hereby authorized to apply for the 2024 State Matching Funds and to receive such funds to the extent that local matching funds are available.

Moved, Eick; second, Morgan.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 415-823

SETTING DATE OF PUBLIC HEARING FOR LOCAL LAW NO. 3-INTRO OF 2023 REGARDING HOTEL OCCUPANCY TAX

WHEREAS, there has been duly presented and introduced to this Legislature a proposed local law entitled “A Local Law Amending Local Law Number 4 of the Year 2003 Imposing a Hotel and Motel Room Occupancy Tax in the County of Orleans With Respect to the Expiration Date Thereof”; therefore be it

RESOLVED, that a public hearing will be held on the said proposed local law by this Legislature on September 26, 2023 at 4:25 p.m. at which time all interested parties will be heard.

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

RESOLUTION NO. 416-823

APPROVING APPOINTMENTS TO THE ORLEANS COUNTY SHARED SERVICES COMMITTEE

RESOLVED, that this Legislature appoints the following Orleans County, Town and Village positions to the Orleans County Shared Services Committee:

Orleans County Legislature Chair

Supervisor from the: Town of Albion, Town of Barre, Town of Carlton, Town of Clarendon, Town of Gaines, Town of Kendall, Town of Murray, Town of Ridgeway, Town of Shelby and Town of Yates

Mayor from the: Village of Albion, Village of Holley, Village of Lyndonville and Village of Medina

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

RESOLUTION NO. 417-823

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT BROADBAND

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

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$1,950.00	RTO Wireless	Equipment installations, Albion and Medina, Inv. # 20230810-CPE

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

RESOLUTION NO. 418-823

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 agency:

Berkshire Farm Center, Canaan, NY for the provision of an evidence-based preventive services program to accommodate the Raise the Age (RTA) population of 16-17 year olds so that they may benefit from the avoidance of foster care and detention programs. All costs incurred will be 100% reimbursable from the New York State Office of Children and Family Services. Contract will run from October 1, 2023 through September 30, 2024

Elmcrest, Syracuse, NY for the provision of residential foster care services; to be effective October 1, 2023 through September 30, 2024 at per diem rates as established by the State, not to exceed \$802,000.00. County cost will be at a percentage determined by both the program category and financial eligibility of each child so placed.

LAMAR, 289 Exchange Street, Buffalo, NY 14204 to display and maintain poster flex outdoor advertising (billboards) at 5 locations throughout Orleans County from September 11, 2023 through November 5, 2023 at a cost of \$5,075.00 to be paid through Safe Harbour grant at \$0 County Cost.

Kids Peace National Center for Kids in Crisis, Schnecksville, PA for the provision of therapeutic foster care services, to be effective July 1, 2023 through June 30, 2024 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.

Orleans County Mental Health for assessments of foster children to make a determination as to whether placement in a Qualified Residential Treatment Program (QRTP) is appropriate pursuant to the Family First Prevention Services Act (FFPSA). The agreement is effective October 1, 2023 through September 30, 2024, cost to not exceed \$25,000.00. County cost is 50% of amount billed.

Orleans County Attorney, Medina, NY for the provision of 0.75 part-time attorney assigned to the Child Support unit of Social Services. Attorney services include 2 days per week for time spent in the DSS office. Changes in the amounts reflect changes in rates as required by the state. Contract is effective January 1, 2023 through December 31, 2023 at a cost of \$63,191.00. County cost is \$21,485.00.

Scott Stopa, 193 East Avenue, Lockport, NY for the provision of legal services relating to Child Support matters, effective July 1, 2022 through December 31, 2023. Rate from July 1, 2022 – March 31, 2023 is \$75.00 per hour and the rate is \$158.00 per hour thereafter. County cost is 34%.

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

RESOLUTION NO. 419-823

AUTHORIZING THE COUNTY TREASURER TO SET UP NEW MONEY AND TRANSFER FUNDS WITHIN THE DEPARTMENT OF SOCIAL SERVICES BUDGET

RESOLVED, that the County Treasurer is authorized to set up new money within the Department of Social Services budget as follows:

REVENUE:

01.6010.3610	Social Svcs Administration	\$7,429.93
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APPROPRIATION:

01.6010.0210	Furniture & Furnishings	\$7,429.93
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and be it

FURTHER RESOLVED, that the County Treasurer is authorized to transfer funds within the Department of Social Services budget as follows:

FROM:

01.6010.0432	Misc Contracts/Agreements	\$500.02
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TO:

01.6010.0210	Furniture & Furnishings	\$500.02
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Moved, Miller; second, Fitzak.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 420-823

AUTHORIZING FILLING POSITIONS IN THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, as a result of a retirement, that this Legislature does hereby authorize filling a full-time Fraud Investigator position (6010.0116) in the Department of Social Services at Grade 15 of the CSEA Salary Schedule effective September 1, 2023; and be it

FURTHER RESOLVED, as a result of a retirement, that this Legislature does hereby authorize filling a full-time Senior Child Support Specialist position (6010.0806) in the Department of Social Services at Grade 13 of the CSEA Salary Schedule effective September 1, 2023; and be it

FURTHER RESOLVED, as a result of a resignation, that this Legislature does hereby authorize filling a full-time Caseworker position (6010.0215) in the Department of Social Services at Grade 16 of the CSEA Salary Schedule effective September 1, 2023.

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

RESOLUTION NO. 421-823

APPROVING RENEWAL AGREEMENT BETWEEN OFFICE FOR THE AGING AND PATHSTONE-RURAL HOUSING ACTION CORP

RESOLVED, that this Legislature approves a renewal agreement between Pathstone-Rural Housing Action Corp-400 East Avenue, Rochester, NY 14607 and the Orleans County Office for the Aging to enter into a 5 year lease agreement for the first floor of the Albion Academy-16 East

Academy Street, Albion, NY 14411 dated October 1, 2023 through September 30, 2028 for which this space will primarily be used for the Orleans County Nutrition Program contracted by the Office for the Aging and also utilizing it for other programming as needed. Rent for 2024 will be \$2,027.67 per month. County Cost \$169.33 per month.

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

RESOLUTION NO. 422-823

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; and 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 \$217,786.00 from April 1, 2023 to March 31, 2024 at no county cost.

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

RESOLUTION NO. 423-823

AUTHORIZING PURCHASE OF A VEHICLE FOR THE OFFICE FOR THE AGING AND AUTHORIZING COUNTY TREASURER TO TRANSFER FUNDS

RESOLVED, this Legislature authorizes purchasing one (1) 2023 Chrysler Pacifica for the Office For the Aging through Enterprise Fleet Management at a cost not to exceed \$50,000.00 to be reimbursable through state and federal funding at no County cost; to be paid from Office for the Aging budget 01.6772.0270 – Capital Equipment; and be it

FURTHER RESOLVED, that this Legislature authorizes the County Treasurer to transfer funds the Office for the Aging budget as follows:

FROM:

01.6772.0860	Health Insurance	\$19,147.00
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APPROPRIATION:

01.6772.0270	Capital Equipment	\$19,147.00
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Moved, Miller; second, Fitzak.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 424-823

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

RESOLVED, that the County Treasurer is authorized to transfer monies within the County Clerk Department budget to purchase replacement equipment for all of the recording and filing needs, along with Pistol Permit Processing due to current equipment lease expiring at the end of the year. The funds are to be transferred as follows:

FROM:

01.1410.0447	Contractual Services & Equipment	\$10,000.00
01.1410.0461	Postage	\$ 2,000.00

TO:

01.1410.0220	Office Equipment	\$12,000.00
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Moved, Draper; second, Fitzak.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 425-823

APPROVING AGREEMENT EXTENSION BETWEEN REAL PROPERTY TAX SERVICE AND APPLIED BUSINESS SYSTEMS

WHEREAS, Resolution No. 321-819 approved an agreement between Real Property Tax Service and Applied Business Systems, 26 Harvester Ave, Batavia, NY for printing of the Orleans County tax bill, Village tax bill and School tax bills at a cost \$0.198 per bill, which such fees charged back to the municipalities; now be it

RESOLVED, that this Legislature approves an agreement extension for an additional 12 month period for printing services through August 31, 2024.

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

RESOLUTION NO. 426-823

APPROVING SALARY REVIEW COMMITTEE'S RECOMMENDATIONS

WHEREAS, the Salary Review Committee met to review the requests for upgrades. The review was performed in accordance with the guidelines contained in the salary review policy. Under this policy, a recommendation to upgrade must be based on the following: a change in job responsibilities or change in the qualifications or the position appearing to be underpaid when compared with comparable positions involving similar responsibilities; and

WHEREAS, the Salary Review Committee has reviewed requests for upgrades and has presented their recommendations to the Legislature on July 18, 2023; now be it

RESOLVED, that this Legislature approves the recommendations of the Salary Review Committee, and be it

FURTHER RESOLVED, that this Legislature approves the following upgrade, effective January 1, 2024, County Treasurer, Grade 11, Step 6 of the Management Compensation Plan; and be it

FURTHER RESOLVED, that this Legislature approves the following upgrade, effective January 1, 2024, Deputy County Treasurer, Grade 8, Step 4 of the Management Compensation Plan; and be it

FURTHER RESOLVED, that this Legislature approves the following upgrade, effective January 1, 2024, Secretary to the District Attorney, Grade 4, Step 9 of the Management Compensation Plan; and be it

FURTHER RESOLVED, that this Legislature approves the following upgrade, effective January 1, 2024, Secretary to the Assistant District Attorneys, Grade 2 of the Management Compensation Plan; and be it

FURTHER RESOLVED, that this Legislature approves the following upgrade, effective January 1, 2024, Assistant Director of Office for the Aging, Grade 7, Step 5 of the Management Compensation Plan; and be it

FURTHER RESOLVED, that this Legislature approves the following upgrade, effective January 1, 2024, Senior Caseworker, Grade 19 of the CSEA contract; and be it

FURTHER RESOLVED, that this Legislature approves the following upgrade, effective January 1, 2024, Caseworker, Grade 17 of the CSEA contract; and be it

FURTHER RESOLVED, that this Legislature approves the following upgrade, effective January 1, 2024, Clinic Therapist, Grade 25 of the CSEA contract; and be it

FURTHER RESOLVED, that this Legislature approves a stipend in the amount of \$250 for each Qualified Individual Assessment completed by a State certified Mental Health employee, effective January 1, 2023.

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

RESOLUTION NO. 427-823

AUTHORIZING AGREEMENT BETWEEN ORLEANS COUNTY TREASURER AND ARMORY ASSOCIATES, LLC

WHEREAS, pursuant to a request from the Orleans County Treasurer to meet the requirements set forth under GASB 75, the County must hire professional services for providing the actuary services for GASB 75 valuing the Orleans County's Other Post-Employment Benefits (OPEB) other than pensions; and

WHEREAS, after careful review, the County Treasurer is recommending the contract be renewed with Armory Associates, LLC, 250 South Clinton Street, Suite 502, Syracuse, NY 13202 at the cost of \$8,400.00 for the Fiscal year 2024; \$2,200.00 for the interim year 2025; \$8,400.00 for Fiscal year 2026; \$2,200.00 for the interim year 2027; \$8,400.00 for Fiscal year 2028; now be it

RESOLVED, that the Orleans County Treasurer and Chairman of the Orleans County Legislature are hereby authorized to sign the agreement between, Orleans County and Armory Associates, LLC for GASB 75 Actuary Services.

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

RESOLUTION NO. 428-823

AUTHORIZING COUNTY TREASURER TO CLOSE OUT CAPITAL PROJECT REDI

WHEREAS, Resolution No. 511-1219 authorized the remediation related to Lake Ontario Lakeshore Flooding, and the Capital Project REDI has been completed; now be it

RESOLVED, that this Legislature authorizes the County Treasurer to close out said Capital Project, in accordance with the rules per the NYS Comptroller.

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

RESOLUTION NO. 429-823

AUTHORIZING COUNTY TREASURER TO TRANSFER FUNDS FROM CONTINGENCY TO PROVIDE AN ALLOCATION TO THE ORLEANS COUNTY CHAMBER OF COMMERCE

RESOLVED, that the County Treasurer is authorized to transfer funds from the contingency fund to provide an allocation to the Orleans County Chamber of Commerce for the purchase of Eclipse glasses as follows:

FROM:

01.1990.0435	Contingency Fund	\$9,045.00
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TO:

01.7989.0439	Other Culture & Recreation	\$9,045.00
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Moved, Draper; second, Fitzak.
Adopted. 7 ayes; 0 nays; 0 absent.

Legislator Allport offered an explanation as to his opposition on this resolution by stating that inflation is calculated by the increase cost of food, energy, commodity and services. The rate of the price index and the core index. The core index excludes food and energy costs. We have a high inflation rate in this county and on top of that, the Feds have just raised the interest rate again.

We have high interest rate. It is an economic fundamental proven principle that when you have high inflation and high interest rates, the thing you want to do is cut tax. If this tax rate is allowed to go back to 3% it would put \$5 million into the local economy in Orleans County. Considering the credit card debt in this County is at an all-time high. People are not going to take this extra windfall and hang on to it. They are going use it to try to maintain the lifestyle they are using their credit cards for. This will put money into local businesses who may be on the verge of letting employees go because of the cost. They will hang on to those employees, and those people in turn will use the revenue from their employment to put back in the economy. 80% of this money will be used for taxable goods and services. That is \$280,000.00 that will come back to the County at a 7% tax rate. I am opposing this just on the economic fundamental principle that we should be lowering taxes for the economy in the Bidenomics environment that we are in. The following resolution was adopted.

RESOLUTION NO. 430-823

AMENDING RESOLUTION NO. 164 OF THE YEAR 1967 IN RELATION TO ORLEANS COUNTY SALES AND COMPENSATING USE TAXES, INCREASING THE RATE OF TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND ON CERTAIN SERVICES, AND ON OCCUPANCY OF HOTEL ROOMS AND AMUSEMENT CHARGES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

BE IT RESOLVED, BY THE ORLEANS COUNTY LEGISLATURE AS FOLLOWS:

That Resolution No. 164 of the Orleans County Board of Supervisors adopted November 30, 1967, as amended by Resolution No. 17 of said Board, adopted February 6, 1969, Resolution No. 90 and 91 of said Board, both adopted June 4, 1970, and as further amended by the Orleans County Legislature by Resolution No. 547-1290, adopted December 12, 1990, of said Legislature, Resolution No. 264-593, adopted May 1, 1993, Resolution No. 388-795, adopted July 29, 1995, of said Legislature, Resolution No. 396-997, adopted September 24, 1997, Resolution No. 380-1099, adopted October 13, 1999, and Resolution No. 377-901, adopted September 12, 2001, and Resolution No. 387-903, adopted September 10, 2003, and Resolution No. 272-705, adopted July 27, 2005, and Resolution No. 361-807, adopted August 22, 2007 and Resolution No. 297-909, adopted on September 9, 2009, and Resolution No. 254-811, adopted on August 24, 2011, and Resolution No. 291-813, adopted on August 28, 2013; and Resolution No. 323-915, as adopted on September 28, 2015; and Resolution No. 305-817, as adopted on August 23, 2017; and Resolution No. 288-720, as adopted on July 22, 2020 be amended in its several parts as follows:

SECTION 1. The first sentence of section 2 of Resolution No. 164 as enacted in 1967, as amended, is amended to read as follows:

SECTION 2. Imposition of sales tax.

On and after September 1, 1970, there is hereby imposed and there shall be paid a tax of three percent upon, and for the period commencing June 1, 1993 and ending November 30, 2025, there is hereby imposed and shall be paid an *additional* tax of one percent upon:

SECTION 2. Subdivision (g) of section three of Resolution No. 164 as enacted in 1967, as amended, is amended to read as follows:

(g) With respect to the additional tax of one percent imposed for the period commencing June 1, 1993 and ending November 30, 2025, the provisions of subdivisions (a), (b), (c), (d) and (e) of this section apply, except that for purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to June 1, 1993, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to February 1, 1993, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to May 31, 1993. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to June 1, 1993 any transaction which may not be subject to the additional tax imposed effective on that date.

SECTION 3. Section four of Resolution No. 164 as enacted in 1967, as amended, is amended to read as follows:

SECTION 4. Imposition of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after June 1, 1993, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering service described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period commencing June 1, 1993, and ending November 30, 2025, the tax shall be at the rate of four percent, and on and after December 1, 2025, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, for the period commencing June 1, 1993, and ending November 30, 2025, the tax shall be at the rate of four percent, and on and after December 1, 2025, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal

property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period commencing June 1, 1993, and ending November 30, 2025, the tax shall be at the rate of four percent, and on and after December 1, 2025, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land, as defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specification of an addition or capital improvement to such real property, property or land.

(f) For purposes of Clauses (C), (D) and (E) of subdivision (a) of this section, for the period commencing June 1, 1993, and ending November 30, 2025, the tax shall be at the rate of four percent, and on and after December 1, 2025, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period commencing June 1, 1993, and ending November 30, 2025, the tax shall be at the rate of four percent, and on and after December 1, 2025, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person.

SECTION 4. Paragraph (B) of subdivision one of section eleven of Resolution No. 164 as enacted in 1967, as amended, is amended to read as follows:

(B) With respect to the *additional* tax of one percent imposed for the period beginning June 1, 1993 and ending November 30, 2025, in respect to the use of property used by the purchaser in this County prior to June 1, 1993.

SECTION 5. Subdivision (b) of section fourteen of Resolution No. 164 as enacted in 1967, as amended, is amended to read as follows:

(b) Net collections attributable to the *additional* one percent sales and compensating use taxes imposed for the period beginning June 1, 1993, and ending November 30, 2025, are set aside for County purposes and shall be available for any County purpose.

SECTION 6. This resolution shall take effect on December 1, 2023.

Moved, Draper; second, Fitzak.

Roll Call: 6 Ayes: Draper, Eick, Fitzak, Johnson, Miller and Morgan; 1 nays: Allport; 0 absent. Adopted.

RESOLUTION NO. 431-823

APPROVING SALE OF COUNTY-OWNED PROPERTY

WHEREAS, a public auction of various parcels of property owned by the County under the In Rem Foreclosure was held August 22, 2023; and

WHEREAS, bids for various properties were obtained by the auctioneer at such auction in accordance with the stated terms of auction; and

WHEREAS, due deliberation has been made by the Orleans County Legislature as to the propriety of each of the said bids; now, therefore be it

RESOLVED, that bids for various parcels set forth on the schedule hereto annexed be, and the same individually are accepted pursuant to the provisions of the Real Property Tax Law; and be it

FURTHER RESOLVED, that the standard form quitclaim tax deeds be prepared for the separate parcels and delivered to the County Treasurer for execution and delivery upon receipt of the balance of the purchase price set forth in the said deed.

ORLEANS COUNTY AUCTION

August 22, 2023

		SOLD TO:	AMOUNT:
ALBION-VILLAGE			
73.11-1-13 PC 210	SCHARPING JASON B 405 EAST AVE 66.50 X 227.00 LAND - 9,900 TOTAL - 45,100	CHARLES HANNIGAN PO BOX 376 ALBION, NY 14411	\$29,500.00
ALBION			
85.-2-7.2 PC 270	NEWBOULD DAVID J 15510 HOLLEY RD 1.10 ACRES LAND - 16,800 TOTAL - 19,600	JOHN CASSIDY 357 WEST PARK ST ALBION, NY 14411	\$5,000.00
BARRE			
93.-1-47.121 PC 270	KELLEY DAVID E KELLEY DOLORES J 4600 EAGLE HARBOR RD 2.24 ACRES LAND - 21,200 TOTAL - 45,000	CHRIS CALLEN PO BOX 4360 GREAT NECK, NY 11023	\$12,000.00
106.-1-40.1 PC 312	FLINT WILMA 5116 OAK ORCHARD RD 19.30 ACRES	KOHL MORGAN 3213 FANCHER RD	\$81,000.00

	LAND - 45,300 TOTAL - 50,000	ALBION, NY 14411	
CARLTON			
8.-1-10 PC 314	HILLSBORO INLET LLC (NOW KNOWN AS GARY ELEANOR) E SHORE DR .24 ACRES LAND - 3,200 TOTAL - 3,200	THOMAS BURTON 215 WEST BANK ST ALBION, NY 14411	\$500.00
18.-1-11 PC 210	BATES THOMAS 14573 ERWAY SUB LN 1.30 ACRES LAND - 21,000 TOTAL - 95,200	STEVEN W BONTER 5 BAYVIEW DR HILTON, NY 14468	\$49,000.00
29.-1-15 PC 314	SPIKES DOROTHY M ROBINSON JUIL JR 14754 ROOSEVELT HWY 5.90 ACRES LAND - 20,500 TOTAL - 20,500	BILAL HUZAIR 1500 FULLER RD WATERPORT, NY 14571	\$31,000.00
29.1-1-2.11 PC 270	BURDICK BARBARA FORMERLY WILCOX THOMAS & MARY 1626 OAK ORCHARD RD 1.86 ACRES LAND - 13,500 TOTAL - 34,700	DEBORAH J YOCKEL 1632 OAK ORCHARD RD ALBION, NY 14411	\$27,000.00
29.1-1-43.1 PC 430	CATLIN BRYANT 1754 OAK ORCHARD RD 1.22 ACRES LAND - 11,400 TOTAL - 104,800	DARREN ROBERTS 1512 KENT RD KENT, NY 14477	\$26,000.00
CLARENDON			
98.-1-15 PC 311	HILLSBORO INLET LLC NOW KNOWN AS ROWLETTE BRYANT L FOURTH SECTION RD .92 ACRES LAND - 800 TOTAL - 800	JON KINGDOLLAR 4547 S HULBERTON RD HOLLEY, NY 14470	\$3,000.00
98.13-1-30 PC 215	GRATHOUSE WILLIAM GRATHOUSE NICOLE M 4581 HOLLEY BYRON RD 3.36 ACRES LAND - 21,900 TOTAL - 125,000	BRANDON ROTH 85 S MAIN ST HOLLEY, NY 14470	\$16,000.00
GAINES			
60.4-1-10 PC 210	GILL DANIEL A 13379 EAGLE HBR KNOWLESVILLE RD LAND - 9,400 TOTAL - 42,300 .37 ACRES	MICHAEL BUONGIORNE 111 CHAMBERLAIN ST ALBION, NY 14411	\$7,500.00
KENDALL			
20.-1-20.1 PC 210	FITZWATER DAVID FITZWATER MARIE 1393 TRANSIT RD 4.00 ACRES LAND - 18,300 TOTAL - 78,400	JASON HOME SERVICES LLC PETER JASON BRAYDA 2951 GROTH RD HOLLEY, NY 14470	\$18,000.00
42.-1-16 PC 210	LAWRENCE-RICHARD JODI-ANN 2160 W KENDALL RD 120.00 X 204.00 LAND - 10,000 TOTAL - 49,500	JASON HOME SERVICES LLC PETER JASON BRAYDA 2951 GROTH RD HOLLEY, NY 14470	\$500.00
MURRAY-VILLAGE			
88.29-1-19 PC 210	DIAZ CHEMICAL CORP. 54 S MAIN ST .37 ACRES LAND - 10,000 TOTAL - 60,000	ONE MECHANIC ST LLC MICHAEL J J VENDETTI PO BOX 291 HOLLEY, NY 14470	\$40,000.00
MURRAY			
53.-2-14.1 PC 210	OWENS MEGAN K 16191 RIDGE RD 1.00 ACRES LAND - 10,000 TOTAL 68,400	CHARLIE HINKS 5633 FRONTIER AVE NIAGARA FALLS, NY 14304	\$16,500.00
54.-1-3.114 PC 322	PRITT BURLEY RIDGE RD 10.20 ACRES LAND - 26,600 TOTAL - 26,600	LUCAS J PERRY 2673 CENTER RD KENDALL, NY 14476	\$22,000.00
RIDGEWAY			
46.-1-25.2 PC 240	YOUNG MARY ANN C/O NETTIE DUBOIS POSTLE RD 1.85 ACRES	SCOTT LEE JOY 11280 POSTLE RD MEDINA, NY 14103	\$4,000.00

LAND - 14,400 TOTAL - 14,400			
69.-1-27 PC 314	ZIETZ JOSPEH ZIETZ KIRSTEN HORAN RD 100.00 X 275.25 LAND - 5,500 TOTAL - 5,500	RAWN MITCHELL 17921 N 91 ST DR PEORIA, AZ 85382	\$1,000.00
70.2-2-17.11 PC 210	WODRICH LEO R JR, WODRICH DONNA 12657 PRESBYTERIAN ST 2.40 ACRES LAND - 12,100 TOTAL - 70,200	SHANIN MOYER 13104 HANLON RD ALBION, NY 14411	\$57,000.00
SHELBY - VILLAGE			
79.16-1-22 PC 220	MORRISON KELLY SPARKS LAWRENCE E IV NOW KNOWN AS CANDLELIGHT PROPERTIES LLC 956 GWINN ST 66.00 X 173.25 LAND - 10,900 TOTAL - 11,900	G&G PROPERTY VENTURES STEVEN GRAY 12609 BRUCKER RD AKRON, NY 14001	\$30,000.00
79.60-2-9 PC 210	FLINT WILMA J 702 WEST AVE 36.00 X 92.50 LAND - 5,100 TOTAL - 40,200	G&G PROPERTY VENTURES STEVEN GRAY 12609 BRUCKER RD AKRON, NY 14001	\$26,000.00
80.45-2-15 PC 210	RIDDER DOUGLAS, RIDDER DIANE NATHANIEL DICKES 726 SOUTH MAIN ST 52.00 X 89.00 LAND - 4,100 TOTAL - 33,600	G&G PROPERTY VENTURES STEVEN GRAY 12609 BRUCKER RD AKRON, NY 14001	\$30,000.00
80.45-3-41 PC 210	RICHARD WENDEL LAWRENCE RICHARD JODI-ANN C 725 CHURCH ST 66.00 X 132.00 LAND - 6,000 TOTAL - 30,000	PRASHANT KADAM 2141 COUNTY LINE RD BARKER, NY 14012	\$7,500.00
SHELBY			
90.-1-12 PC 210	PADOLESKI BARBARA ATTN: KEITH DENNIS 10764 MAPLE RIDGE RD 1.00 ACRES LAND - 13,000 TOTAL - 82,900	JAMES S BIELISKI 212 NORTH GRAVEL RD MEDINA, NY 14103	\$70,000.00
YATES			
12.3-1-7 PC 210	KERR PATRICIA 10214 ROOSEVELT HWY 1.10 ACRES LAND - 11,200 TOTAL - 42,500	CINDY KIPP 11227 RIDGE RD MEDINA, NY 14103	\$18,500.00
14.3-1-3 PC 270	O'CONNOR ELEANORE 1425 LYNDONVILLE RD 90.00 X 167.00 LAND - 7,000 TOTAL - 17,100	GORDON R RANDALL JR 15 GOODRICH ST ALBION, NY 14411	\$15,000.00

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

RESOLUTION NO. 432-823

AUTHORIZING PAYMENT OF CLAIMS FOR SEPTEMBER AGAINST THE COUNTY

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

RESOLVED, that this Legislature authorizes payment of said claims against the following finds and that the Clerk of the Legislature, Commissioner of the Department of Public Works, Director of Job Development Agency and the Self-Insurance Administrator be authorized and

directed to draw demand orders on the County Treasurer in payment of the following claims submitted for September 12, 2023 and September 26, 2023:

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

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

Chairman Johnson asked for any new business. Hearing none Chairman Johnson asked the public for any comment.

Ken Schleeded from Lyndonville, stated that there has been some flooding on Yates Carlton Townline Rd, just west of there. There was a rain event that brought a lot of water to the area. The water came down and attempted to get through two (2) culverts under Yates Carlton Townline Rd and to the lake. This was backed way up.

Chairman Johnson stated that DPW Commissioner has been working on this road in a different area. DPW Commissioner stated that we have been working on a lot of rain events. There have been three (3) major events with rainfall averaging from 2"-3" in a few hours. That is more rain than any current system can handle. Added into that is more and more farm fields are being tiled right to the road side drain systems. They were not designed to handle the influx of water. This is a problem across the county, mainly the north side. We have been working with Soil & Water for a solution. We just can't stay on top of every situation. At this time, we are doing the best we can to investigate and remediate the problem areas. Mr. Schleeded stated the main issue is there is a step change in the behavior about 12 years ago. We are on a fire lane to the west of Yates Carlton Townline Rd. We go drive through water every spring and winter, knowing what we can drive through and can't. Currently we are working with Soil & Water to clean out our lane to move that water. On the Townline Rd, the two (2) culverts under Townline Rd were 2/3 full. Other side of the road was about 5 1/2' above the creek, going out to the lake. Maybe something has changed and shifted. This is the worst I have ever seen. Please let me know what can be done about this and who we should talk to. We live there year round and understand the need. Last winter, the road fell in when I was driving over it. The water had eroded around the culvert. You came out and it was fixed. It seems that this problem is becoming more frequent in this area. Chairman Johnson asked Mr. Schleeded to speak with DPW Commissioner Papponetti.

Legislator Allport moved to enter into Executive Session at 5:15 p.m. per Open Meeting Law section 105 (h) to discuss proposed acquisition of real property; second by Legislator Fitzak.

Legislator Morgan moved to exit out of executive session at 5:33 p.m.; second by Legislator Allport.

Legislator Miller made a motion to adjourn the meeting, seconded by Legislator Fitzak. The meeting was adjourned at 5:33 p.m.