



Zoom

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CONFERENCE SESSION

4:00 p.m. Medical Scholarship - Dr. Mruczek and Russ Martino

4:20 p.m. Overdose Awareness Day - District Attorney Joe Cardone

LEGISLATURE MEETING - AGENDA

August 24, 2022 4:30 p.m.

Call to Order

Pledge to the Flag and Invocation lead by Orleans County Veteran

Roll Call

Presentation of Communications

Special Recognition: Paul Pettit, NACCHO Board of Directors

Treasurer's Report

Open Discussion – Legislators/Public Comment on Resolutions

Presentation of Resolutions:

383. Approving Agreement between the Sheriff's Office and the New York State Department of Corrections and Community Supervision's Office of Nutritional Services (Draper)

384. Approving Memorandum of Understanding Agreement between Orleans County Sheriff's Office and Kendall Central School District (Draper)

385. Approving Memorandum of Understanding Agreement between Orleans County Sheriff's Office and Lyndonville Central School District (Draper)

386. Approving Agreement between the Sheriff's Office and New York State Canal Corporation (Draper)

387. Authorizing the Sheriff's Office to Apply for the New York State 2023 STOP DWI Plan Offered through the New York State Department of Motor Vehicles Governor's Traffic Safety Committee (Draper)

388. Authorizing the Sheriff's Office to Apply for the New York State STOP DWI Foundation's High Visibility Engagement Grant (Draper)

389. Authorizing Purchase from the Sheriff's Budget (Draper)

390. Authorizing Acceptance of Donations to the Sheriff's Office and Authorizing County Treasurer to Set Up New Money in the Sheriff's Budget (Draper)

391. Authorizing County Treasurer to Transfer Funds from Contingency to the Sheriff's Office Budget (Draper)
392. Authorizing Filling of Vacancies in the Sheriff's Office (Draper)
393. Authorization to Accept Grant Funding and Approve Agreement Between NYS Department of Homeland Security and Orleans County Office of Emergency Management (Draper)
394. Creating and Filling a Full Time Assistant Public Defender Position (Draper)
395. Authorizing Stipends for Assistant Public Defenders (Draper)
396. Authorizing Reimbursement to the Probation Supervisor for Cell Phone Usage (Draper)
397. Approving Agreements between the Health Department and Various Agencies (Allport)
398. Approving Agreements between the Health Department and Various Agencies for Center-Based Preschool (Allport)
399. Approving Agreements between the Health Department and Various Agencies for Related Services Preschool (Allport)
400. Authorizing Out of State Travel for Health Department Employee (Allport)
401. Agreement between the Orleans County Department of Public Works and Keeler Construction Co., Inc. (Eick)
402. Approving Agreement with Department of Public Works and Wendel Companies (Eick)
403. Authorizing Repair Service from the Department of Public Works Budget (Eick)
404. Authorizing Transfer of Funds Within the Department of Public Works (Eick)
405. Authorizing Filling of a Position in the Department of Public Works (Eick)
406. Authorizing Payments from Capital Project Lake Ontario REDI Account (Eick)
407. Authorizing Payments from Capital Project Infrastructure Projects Account (Eick)
408. Designating the Tourism Promotion Agency and Authorizing Application for the 2023 State Tourism Matching Funds Grant (Eick)
409. Resolution in Support of Senate Bill S9509 to Eliminate the Farm Laborers Wage Board Created through the Farm Workers Fair Labor Practices Act (Eick)
410. Approving Appointments to Medical Scholarship Committee (Eick)
411. Authorizing the Use of ARPA Funds for Orleans County Cooperative Extension and Authorizing the County Treasurer to Set Up Funds (Morgan)
412. Resolution Approving Agreements with the Department of Social Services (Miller)
413. Authorizing Abolishing and Creating Positions in the Department of Social Services (Miller)
414. Authorizing Abolishing, Creating and Filling Positions in the Veterans Service Agency (Miller)
415. Authorizing the use of ARPA Funds for Livingston County Workforce Development and Authorizing the County Treasurer to Set Up Funds (Miller)
416. Approving Nomination to Genesee-Livingston-Orleans-Wyoming (GLOW) Workforce Development Board (Miller)
417. Approving Appointment to Orleans County Youth Board (Miller)
418. Proposing the Repeal or Amendment of Election Laws in so far as they Adversely Affect Smaller Counties (Miller)
419. Approving Agreement Extension between Real Property Tax Service and Applied Business Systems (Draper)
420. Authorizing the use of ARPA Funds for Software Licenses from Brite Computers for Mobility Operations and Authorizing the County Treasurer to Set Up Funds (Draper)

- 421. Authorizing Filling a Position in the Computer Services Department (Draper)
- 422. Approving the Management Compensation Plan for 2023 and 2024 (Draper)
- 423. Approving Appointments to the County of Orleans Industrial Development Agency (COIDA) (Draper)
- 424. Authorizing Payment of Claims for September Against the County (Fitzak)

Unfinished Business

Adjournment

RESOLUTIONS:

RESOLUTION NO. 383-822

APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE AND THE NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION'S OFFICE OF NUTRITIONAL SERVICES

RESOLVED, that this Legislature approves a renewal agreement between the Sheriff's Office and the New York State Department of Corrections and Community Supervision's Office of Nutritional Services, Evans Drive Bldg #50, Rome, NY, to procure food products for inmates of the county jail, with costs based on quarterly pricing, for the period September 1, 2022 through August 31, 2027; and be it

FURTHER RESOLVED, that the Chairman is authorized to sign these agreements subject to the review and approval of the Orleans County Attorney and Legislative Chairman.

Moved, Draper; second,

RESOLUTION NO. 384-822

APPROVING MEMORANDUM OF UNDERSTANDING AGREEMENT BETWEEN ORLEANS COUNTY SHERIFF'S OFFICE AND KENDALL CENTRAL SCHOOL DISTRICT

WHEREAS, Kendall Central School District has requested a School Resource Officer to serve in the schools and on school grounds of the District beginning the 2022 – 2023 school year; now be it

RESOLVED, that this Legislature approves a Memorandum of Understanding Agreement between Orleans County Sheriff's Office, 13925 Route 31, Suite 400, Albion, NY 14411 and Kendall Central School District, for the Orleans County Sheriff's Department to partner in sustaining a School Resource Officer to serve in the schools and on school grounds within the Kendall Central School District, commencing September 1, 2022 and terminating June 30, 2024, with compensation for SRO to be made to the Sheriff's Office by the Kendall School District; and be it

FURTHER RESOLVED, the 2022 compensation shall be \$502.10 per day, the 2023 compensation shall be \$510.26 per day per the school calendar provided by the District; and be it

FURTHER RESOLVED, that any additional hours requested by the District for afterhours events, the Sheriff's Office shall be compensated at an overtime hourly including incremental fringe expense rate of \$61.05 per hour for the calendar year of 2022, \$62.53 per hour for the calendar year of 2023 and to-be-determined per the OCDSA Collective Bargaining Agreement for 2024; and be it

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

Moved, Draper; second,

RESOLUTION NO. 385-822

APPROVING MEMORANDUM OF UNDERSTANDING AGREEMENT BETWEEN ORLEANS COUNTY SHERIFF'S OFFICE AND LYNDONVILLE CENTRAL SCHOOL DISTRICT

WHEREAS, Lyndonville Central School District has requested a School Resource Officer to serve in the schools and on school grounds of the District beginning the 2022 – 2023 school year; now be it

RESOLVED, that this Legislature approves a Memorandum of Understanding Agreement between Orleans County Sheriff's Office, 13925 Route 31, Suite 400, Albion, NY 14411 and Lyndonville Central School District, for the Orleans County Sheriff's Department to partner in sustaining a School Resource Officer to serve in the schools and on school grounds within the Lyndonville Central School District, commencing September 1, 2022 and terminating June 30, 2024, with compensation for SRO to be made to the Sheriff's Office by the Lyndonville School District; and be it

FURTHER RESOLVED, the 2022 compensation shall be \$502.10 per day, the 2023 compensation shall be \$510.26 per day per the school calendar provided by the District; and be it

FURTHER RESOLVED, that any additional hours requested by the District for afterhours events, the Sheriff's Office shall be compensated at an overtime hourly including incremental fringe expense rate of \$61.05 per hour for the calendar year of 2022, \$62.53 per hour for the calendar year of 2023 and to-be-determined per the OCDSA Collective Bargaining Agreement for 2024; and be it

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

Moved, Draper; second,

RESOLUTION NO. 386-822

APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE AND NEW YORK STATE CANAL CORPORATION

WHEREAS, Resolution #143-322 authorized the Orleans County Sheriff's Office to apply for available reimbursement funding for officers' services in conducting marine patrols along the Erie Canal and canalway trails; now be it

RESOLVED, that the Orleans County Sheriff's Office is authorized to participate in and accept the 2022-2023 grant funding award, in the amount of \$39,920.00 from the NYS Canal Corporation; and be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute an agreement between the New York State Canal Corporation, 30 South Pearl Street, Albany, NY 12207 and the Sheriff's Office to establish marine patrols to enforce NYS Marine Law and to monitor activity along the canal and its pathway effective April 1, 2022 through March 31, 2023; subject to the review and approval of the County Attorney and Legislature.

Moved, Draper; second,

RESOLUTION NO. 387-822

AUTHORIZING THE SHERIFF'S OFFICE TO APPLY FOR THE NEW YORK STATE 2023 STOP DWI PLAN OFFERED THROUGH THE NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES GOVERNOR'S TRAFFIC SAFETY COMMITTEE

RESOLVED, that this Legislature authorizes the Sheriff's Office to apply online to the New York State Department of Motor Vehicles Governor's Traffic Safety Committee 2023 STOP DWI Plan in the amount of \$30,190.00, This funding for this plan would allow the Sheriff's Office, and other local law enforcement agencies, to participate in increased STOP DWI patrols throughout the year with combined total of \$5,000.00 and equipment with the combined total of \$4,000.00, This Plan will also allow the ten town courts funding to defray cost with combined total \$5,000.00. This Plan also covers Probation for percentage of wages to the Probation Officer handling the DWI caseload and equipment with the combined total of \$5,000.00, the Orleans County Youth Bureau for outreach, and education with the combined total of \$10,840.00, and Administrative to include NYMIR and Association dues with combined total of \$350.00. STOP DWI Plan period dates effective from January 1, 2023 through December 31, 2023.

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

Moved, Draper; second,

RESOLUTION NO. 388-822

AUTHORIZING THE SHERIFF’S OFFICE TO APPLY FOR THE NEW YORK STATE STOP DWI FOUNDATION’S HIGH VISIBILITY ENGAGEMENT GRANT

RESOLVED, that this Legislature authorizes the Sheriff’s Office to apply online to the New York State STOP DWI Foundation’s 2022-2023 High Visibility Engagement Grant funding in the amount of \$15,000.00. Grant funds would allow the Sheriff’s Office, and other local law enforcement agencies, to participate in increased STOP DWI patrols (Campaigns) during peak holiday periods throughout the year. Grant period dates effective from October 1, 2022 through September 30, 2023.

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

Moved, Draper; second,

RESOLUTION NO. 389-822

AUTHORIZING PURCHASE FROM THE SHERIFF’S BUDGET

RESOLVED, that this Legislature approves the purchase of Jail Uniforms per OCSEA Local 2966 contract from Galls LLC, 1340 Russell Cave Rd, Lexington, KY 40505 in the amount of \$16,049.93 and to be paid from 01.3150.0415 – Uniform & Clothing Allowance.

Moved, Draper; second,

RESOLUTION NO. 390-822

AUTHORIZING ACCEPTANCE OF DONATIONS TO THE SHERIFF’S OFFICE AND AUTHORIZING COUNTY TREASURER TO SET UP NEW 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	\$50.00
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APPROPRIATION:

01.3110.0499	K9 - Sheriff	\$50.00
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Moved, Draper; second,

RESOLUTION NO. 391-822

AUTHORIZING COUNTY TREASURER TO TRANSFER FUNDS FROM CONTINGENCY TO THE SHERIFF'S OFFICE BUDGET

WHEREAS, the surge in the price of gas and diesel fuel has reached all time record highs and therefore the Sheriff's Office needs to adjust for the increases in their budget to reflect more accurate costs for the remainder of 2022, now be it

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

FROM:

01.1990.0435	Contingency Fund	\$31,000.00
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TO:

01.3110.0413	Gas & Oil	\$31,000.00
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Moved, Draper; second,

RESOLUTION NO. 392-822

AUTHORIZING FILLING OF VACANCIES IN THE SHERIFF'S OFFICE

RESOLVED, that due to a resignation in the Sheriff's Office, this Legislature does hereby authorize the filling of two (2) vacant part time Public Safety Dispatchers (3020.17 and 3020.19) in the Sheriff's Dispatch at \$15.68 per hour effective August 25, 2022.

FURTHER RESOLVED, that due to a resignation in the Sheriff's Office, this Legislature does hereby authorize the filling of a vacant part time Correction Officer (3150.29) in the Sheriff's Jail at \$15.68 per hour effective August 25, 2022.

FURTHER RESOLVED, that due to a resignation in the Sheriff's Office, this Legislature does hereby authorize the filling of a vacant part time Deputy Sheriff (3110.85) in the Sheriff's Road Patrol at \$24.80 per hour effective August 25, 2022.

Moved, Draper; second

RESOLUTION NO. 393-822

AUTHORIZATION TO ACCEPT GRANT FUNDING AND APPROVE AGREEMENT BETWEEN NYS DEPARTMENT OF HOMELAND SECURITY AND ORLEANS COUNTY OFFICE OF EMERGENCY MANAGEMENT

WHEREAS, Resolution 202-422 had granted permission to the Office of Emergency Management to apply for the Statewide Interoperable Communications Grant for the 2021 and 2022 years (SICG-Formula 2021-2022); and

WHEREAS, NYS Department of Homeland Security approved the application for Orleans County Office of Emergency Management and approved funding in the amount of \$1,038,805.00 to be utilized for enhancing emergency response, improving capabilities, improvements in government structures, operating procedures, infrastructure development and addressing SAFECOM guidelines within the performance period beginning January 1, 2021 through December 31, 2024; now it be

RESOLVED that this Legislature authorize the Chairman to accept SICG-Formula Grant, Project No. SI21-1035E00, in the amount of \$1,038,805.00 for use by the Emergency Management Office in accordance with the grant objective guidelines for the performance period beginning January 1, 2021 through December 31, 2024; and be

Moved, Draper; second,

RESOLUTION NO. 394-822

CREATING AND FILLING A FULL TIME ASSISTANT PUBLIC DEFENDER POSITION

WHEREAS, a new full time position Assistant Public Defender position is necessary, and based upon the extensive legal experience of the attorney able to accept said position, now be it

RESOLVED, that this Legislature authorizes the creation of a full time Assistant Public Defender (1170.02) in the Public Defender's Office, at a Grade 9 of the Management Compensation Plan; and be it

FURTHER RESOLVED, that the full time Assistant Public Defender (1170.02) shall be paid an additional CAP stipend in the annual amount of \$10,000.00 per year; and be it

FURTHER RESOLVED, that the full time Assistant Public Defender (1170.02) shall be paid a pay parity stipend in the annual amount of \$7,500.00 per year; and be it

FURTHER RESOLVED, that the for purposes of paid annual leave, this newly created position (1170.02) shall be treated as an employee having eight years of employment to include twenty days of annual leave, and to be increased by 5 days after five years. Said annual leave shall commence on the first day of employment; and be it

FURTHER RESOLVED, that the stipends set forth herein shall commence on the date of hire, and shall be paid in equal payments as part of this newly created position (1170.02) regular pay schedule, and shall be subject to an annual increase of 2% each January 1st; and be it

FURTHER RESOLVED, that these additional stipends shall have no County cost as the amounts for this Resolution shall be paid through grant funding from Indigent Legal Services, grant #CSTWIDEHH33, or any other grant; and be it

FURTHER RESOLVED, that the salary and stipend payments shall expire when these costs are no longer eligible for reimbursement under any grant from Indigent Legal Services; and be it

FURTHER RESOLVED, that the Legislature authorizes the filling of this newly vacant position effective August 25, 2022.

Moved, Draper; second,

RESOLUTION NO. 395-822

AUTHORIZING STIPENDS FOR ASSISTANT PUBLIC DEFENDERS

RESOLVED, that this Legislature authorizes the payments of stipends for three the part-time Assistant Public Defenders as set forth herein; and be it

FURTHER RESOLVED that position code 1170.04 shall receive a pay parity stipend in the annual amount of \$4,755.00; and be it

FURTHER RESOLVED that position code 1170.06 shall receive a pay parity stipend in the annual amount of \$5,443.00; and be it

FURTHER RESOLVED that position code 1170.13 shall receive a pay parity stipend in the annual amount of \$5,443.00; and be it

FURTHER RESOLVED that the stipends set forth herein shall commence on September 1, 2022, and shall thereafter be paid in equal payments as part of each attorney's regular pay schedule, and shall be subject to an annual increase of 2% each January 1st; and be it

FURTHER RESOLVED that these additional stipends shall have no County cost as the amounts for this Resolution shall be paid through grant funding from Indigent Legal Services, grant #CSTWIDEHH33, or any other grant; and be it

FURTHER RESOLVED that the stipend payments shall expire when these stipends are no longer eligible for reimbursement under the grant from Indigent Legal Services

Moved, Draper; second,

RESOLUTION NO. 396-822

AUTHORIZING REIMBURSEMENT TO THE PROBATION SUPERVISOR FOR CELL PHONE USAGE

RESOLVED, that this Legislature authorizes payment from the Orleans County Probation Department budget, for the Probation Supervisor to be partially reimbursed for cell phone charges, incurred in conducting daily business, in the amount of \$50.00 per month, vouchered quarterly, effective September 1, 2022; and be it

FURTHER RESOLVED, that this partial reimbursement for cell phone charges incurred in conducting daily business will remain with this job title indefinitely.

Moved, Draper; second,

RESOLUTION NO. 397-822

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES

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

Transpo Bus Services LLC-DBA-TBS, 150 Josons Drive, Rochester, NY 14623. EI/Preschool transportation Rates as awarded in bid. New York State Education reimbursement 59.5%. Orleans County cost 40.5% less any Medicaid reimbursements received from Medicaid reimbursement. One year contract with the option to extend for two years. Second of two extensions. Contract service September 1, 2022 to August 31, 2023.

WNY Bus Co, Student Transport Inc. dba. 79 Sheldon Avenue, Depew, NY 14043. EI/Preschool transportation Rates as awarded in bid. New York State Education reimbursement 59.5%. Orleans County cost 40.5% less any Medicaid reimbursements received from Medicaid reimbursement. One year contract with the option to extend for two years. Second of two extensions. Contract service September 1, 2022 to August 31, 2023.

Moved, Allport; second,

RESOLUTION NO. 398-822

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES FOR CENTER-BASED PRESCHOOL

RESOLVED, that this Legislature does hereby approve the following agreements 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, rates are set by NYS Education Department with reimbursement at 59.5% from NYS Department of Health, Orleans County Department of Health is responsible for 40.5% partial Medicaid reimbursement, term July 1, 2022 through June 30, 2025:

Happiness House, 5415 County Road #30, Canandaigua, NY 14424

Liberty Resources Post, 1045 James Street, Syracuse, NY 13203
Bornhava, 25 Chateam Terrace, Buffalo, NY 14226

Moved, Allport; second,

RESOLUTION NO. 399-822

APPROVING AGREEMENTS BETWEEN THE HEALTH DEPARTMENT AND VARIOUS AGENCIES FOR RELATED SERVICES PRESCHOOL

RESOLVED, that this Legislature does hereby approve the following agreements to provide appropriate related services for Orleans County preschool students with disabilities through the delivery of preschool special education related services within the 3-5 program, rates are set by NYS Education Department with reimbursement at 59.5% from NYS Department of Health, Orleans County Department of Health is responsible for 40.5% partial Medicaid reimbursement, term July 1, 2022 through June 30, 2025:

Intergrated Therapy Services of WNY, 25 Liberty St. Suite 5, Batavia, NY 14020
Liberty Resources Psychology Physical Occupational Speech Therapy LLC, 1870 S. Winton Rd, Rochester, NY 14618
Pamela Gallo, 9074 Calpin Parkway, Clarence Center, NY 14032

Moved, Allport; second,

RESOLUTION NO. 400-822

AUTHORIZING OUT OF STATE TRAVEL FOR HEALTH DEPARTMENT EMPLOYEE

RESOLVED, that this Legislature does hereby authorize out of state travel by Brenden Bedard, Director of Community Health Services, to attend The NACCHO Workgroup on HIV/STI/Viral Hepatitis meeting in Atlanta, GA; November 1 - November 3, 2022. All costs covered by NACCHO. No County Cost.

Moved, Allport; second,

RESOLUTION NO. 401-822

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 Department of Public Works with paving portions of Lakeshore Road and Transit Road; Project ID: DPW51-2022. Pricing is through the Road and Bituminous Bid award resolution #220-422 with a cost not to

exceed \$25,000, and projects are reimbursable through the Consolidated Highway Improvement Program; and be it

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

Moved, Eick; second,

RESOLUTION NO. 402-822

APPROVING AGREEMENT WITH DEPARTMENT OF PUBLIC WORKS AND WENDEL COMPANIES

WHEREAS, the County's ("the County") facilities and infrastructure are in need of upgrades to improve energy efficiency and occupant comfort, and reduce energy related operational and maintenance costs; and

WHEREAS, in accordance with Article 9 of the New York State Energy Law, the County has discussed the opportunity to implement energy related facilities improvement measures by means of an Energy Performance Contract; and

WHEREAS, as a part of the Energy Performance Contract process, the County engaged Wendel to develop a detailed Energy Efficiency Study to identify and evaluate potential facility and infrastructure improvements utilizing the New York State Energy Research and Development Authority (NYSERDA) 50% cost-shared grant funding for an energy efficiency study through its FlexTech or Technical Assistance Program; and

WHEREAS, the results of the NYSERDA Energy Study indicate that the County will benefit from an Energy Performance Contract through the installation of energy efficient facility and infrastructure improvement measures; and

WHEREAS, the County is a member of the Interlocal Purchasing System (TIPS) cooperative procurement program allowing the County to utilize the cooperative's previously procured competitive solicitation for an Energy Services Company to perform an Energy Performance Contract; and

WHEREAS, the County wishes to submit an application to National Grid for distributed generation including a Coordinated Electrical System Interconnection Review (CESIR) Study by the utility; now be it

RESOLVED, that this Legislature authorizes the Chairman to submit an application to National Grid for distributed generation including a CESIR Study for a cost not to exceed \$15,000.00; therefore be it

FURTHER RESOLVED, that this Legislature authorizes the Chairman to execute a Project Development Agreement, including engineering design at a fee of \$178,442.49, subject to County

Attorney approval, to implement an Energy Performance Contract with Wendel Energy Services, LLC, 375 Essjay Road, Williamsville, New York, for the provision of facility and infrastructure improvements, that will result in guaranteed energy savings, operational savings and revenue enhancements that when combined over the expected life of the improvements will equal or exceed the total cost of the improvements.

Moved, Eick; second,

RESOLUTION NO. 403-822

AUTHORIZING REPAIR SERVICE FROM THE DEPARTMENT OF PUBLIC WORKS BUDGET

RESOLVED, that this Legislature approves a service repair bill from Terex Utilities, 142 Gemblor Road, San Antonio, Texas 78219 to repair the 2002 GMC Bucket Truck for a total cost not to exceed \$10,000.00; to be paid from the Machinery fund account 04.5130.0444.

Moved, Eick; second,

RESOLUTION NO. 404-822

AUTHORIZING TRANSFER OF FUNDS WITHIN THE DEPARTMENT OF PUBLIC WORKS

RESOLVED, that the Treasurer is authorized to transfer monies within the Department of Public Works Budget as follows to cover the cost of two vehicle leases:

FROM:

04.5130.0270	Capital Equipment	\$3,232.48
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TO:

04.9785.0601	Outstanding Principal Debt	\$2,566.15
04.9785.0701	Outstanding Interest Debt	\$ 666.33

Moved, Eick; second

RESOLUTION NO. 405-822

AUTHORIZING FILLING OF A POSITION IN THE DEPARTMENT OF PUBLIC WORKS

RESOLVED, as a result of a retirement, this Legislature does hereby authorize the filling of a vacant permanent full-time Motor Equipment Operator position (5110.21) in the Department of Public Works at Grade H2 of the CSEA Salary Schedule; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of this vacant position; effective August 25, 2022.

Moved, Eick; second,

RESOLUTION NO. 406-822

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>
\$1,157.50	Wendel Companies	Professional Services rendered through 7/3/2022

and be it,

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

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$3,525.46	Wendel Companies	Professional Services rendered through 5/9/2022
\$2,955.00	Wendel Companies	Professional Services rendered through 7/3/2022

Moved, Eick; second,

RESOLUTION NO. 407-822

AUTHORIZING PAYMENTS FROM CAPITAL PROJECT INFRASTRUCTURE PROJECTS ACCOUNT

RESOLVED, that this Legislature authorizes the following payment(s) to be made from account H5120.251, Capital Project – Infrastructure Project – Culvert Improvements:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>
\$26,518.00	Elderlee, Inc.	Emergency Repair – Yates Carlton Townline Road Culvert

Moved, Eick; second,

RESOLUTION NO. 408-822

DESIGNATING THE TOURISM PROMOTION AGENCY AND AUTHORIZING APPLICATION FOR THE 2023 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 2023 New York State Matching Funds Program; and be it

FURTHER RESOLVED, that the TPA Project Director is hereby authorized to apply for the 2023 State Matching Funds and to receive such funds to the extent that local matching funds are available.

Moved, Eick; second,

RESOLUTION NO. 409-822

RESOLUTION IN SUPPORT OF SENATE BILL S9509 TO ELIMINATE THE FARM LABORERS WAGE BOARD CREATED THROUGH THE FARM WORKERS FAIR LABOR PRACTICES ACT

WHEREAS, Orleans County is in full support of Senate Bill S9509 to repeal the act Section 674-a of the labor law, relating to establishing the Farm Laborers Wage Board and urging Governor Hochul to eliminate the three-member Farm Laborers Wage Board, and

WHEREAS, the Wage Board is charged with making a recommendation on whether to reduce the current 60-hour overtime threshold for farm workers to 40 hours, and

WHEREAS, in January 2022, after numerous public hearings on the issue that included testimony from farmers, farm workers and industry stakeholders, the Wage Board recommended lowering the threshold, despite the fact that more than 70 percent of the testimony conveyed the harm that would be caused by such a change, and

WHEREAS, the Wage Board proposes four-hour decreases in the overtime threshold every other year. Farmers would pay overtime wages up front and then be reimbursed for overtime hours after the fact which it would be unlikely, hours worked over 60 hours would be covered by tax credit, and

WHEREAS, the Wage Board has just one member with an agricultural background, making it ill-equipped to render sound, informed decisions concerning New York State's critically-important agriculture industry, and

WHEREAS, data from a 2021 Cornell University study is being ignored by the Wage Board which results in findings that show lowering the threshold would economically hurt both farmers and farm workers, and

WHEREAS, New York State farmers continue to face a tremendous number of challenges outside of their control including changes in consumer demand leading to price change, obtaining labor, climate change regulation and mandates, land management policies, foreign and regional market competition, NYS regulations, livestock and crop disease, and

WHEREAS, farmers are heavily relied on to continue to produce food during shortages throughout the Country while keeping in mind, farmers and farm workers remained constant during the pandemic, and

WHEREAS, New York State farms donate the majority of produce used in food pantries and local feeding programs. These programs will suffer due to higher mandated costs of labor, making less donated produce available to Nourish NY programs, and

WHEREAS, Orleans County is urging state legislature to provide the farmers and farm workers relief from the already onerous burden the Farm Workers Fair Labor Practices Act and other existing government mandates which have placed our farms at a competitive disadvantage with neighboring states and Canada; now be it

RESOLVED, Orleans County emphatically opposes any decrease to the 60 hour farm worker overtime threshold proposed by the Farm Laborers Wage Board; and be it

FURTHER RESOLVED, Orleans County urges Governor Hochul to strongly consider request of repealing the act, section 674-a of the labor law, relating to establishing the Farm Laborers Wage Board and eliminating the three-member Farm Laborers Wage Board; and be it

FURHTER RESOLVED, Orleans County Legislature directs the Clerk of the Legislature to submit a copy of the adopted resolution to Governor Hochul, Senate Majority Leader Stewart-Cousins, NYS Assembly Speaker Heastie, Senator Borrello, Senator Ortt, Assemblyman Hawley, NYS Labor Commissioner, NYS Agriculture and Markets Commissioner, NYS Farm Bureau, Genesee County Farm Bureau, Genesee County Legislature, NYSAC and Inter-County Association of Western New York.

Moved, Eick; second,

RESOLUTION NO. 410-822

APPROVING APPOINTMENTS TO MEDICAL SCHOLARSHIP COMMITTEE

RESOLVED, that this Legislature does hereby approve the appointments of the following members to the Medical Scholarship Committee:

<u>Name</u>	<u>Representing</u>	<u>Term:</u>
Russ Martino	Lyndonville Area Foundation	6/1/2022 - 5/31/2025
Katie Driesel	Education	6/1/2022 - 5/31/2025
Joseph Misiti, MD	Doctor	6/1/2022 - 5/31/2025
Dale Sponaugle, MD	Doctor	6/1/2022 - 5/31/2025
Lynne M. Johnson	Legislature	1/1/2022 - 12/31/2023

Moved, Eick; second,

RESOLUTION NO. 411-822

AUTHORIZING THE USE OF ARPA FUNDS FOR ORLEANS COUNTY COOPERATIVE EXTENSION AND AUTHORIZING THE COUNTY TREASURER TO SET UP FUNDS

WHEREAS, the Orleans County Cooperative Extension is in need of infrastructure upgrades to their property; and

WHEREAS, the COVID-19 pandemic has restricted the Orleans County Cooperative Extension's ability to accumulate funds in their operating budget for infrastructure upgrades due to the reduced revenue producing opportunities these last three years; now be it

RESOLVED, that this Legislature does hereby approve using ARPA funding in the amount of \$50,000 for infrastructure upgrades to the Orleans County Cooperative Extension property; and be it

FURTHER RESOLVED, that this Legislature authorizes the County Treasurer to set up funds in ARPA for the Orleans County Cooperative Extension as follows:

REVENUE:

01.1326.4089 ARPA-Federal Aid \$50,000.00

APPROPRIATION:

01.1326.0439.8750 Authorized Agency \$50,000.00

Moved, Morgan; second,

RESOLUTION NO. 412-822

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 agencies:

Orleans County Mental is a Qualified Individual (QI) who, pursuant to the Family First Prevention Services Act (FFPSA), will conduct assessments of foster children to make a determination, including, but not limited to, whether the placement in the Qualified Residential Treatment Program (QRTP) is appropriate.

LexisNexis, a division of RELX, Inc, PO Box 933, Dayton, OH 45401 and the Department of Social Services to provide DSS Co. Attorney, plus 2 support staff access to laws, appeals, court decisions, and statutes to successfully execute his role as County Attorney for the Department of Social Services. 36 month agreement. Addendum attached to terminate early if needed. November 1, 2022 through November 30, 2025, at a cost of \$93.00 monthly (\$1,116 yearly).

Esther Annan, D/b/a E.A. consult Services to provide independent assessments of children placed in foster care for the Department of Social Services at a cost of up to \$2000 per assessment not to exceed \$10,000 total. Term of agreement October 1, 2022 through September 30, 2023. County cost is 50%.

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. Contract will run from October 1, 2022 through September 30, 2023.

Elmcrest, Syracuse, NY for the provision of residential foster care services; to be effective October 1, 2021 through September 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 financial eligibility of each child so placed.

Varano LLC 270 Overland Trace, Montgomery, TX 77316 will be providing an inspirational speaking and speed painting presentation (Emotion into Art). The presentation will be \$0 Local cost and will be 100% funded by the State through the Safe Harbour grant.

Moved, Miller; second,

RESOLUTION NO. 413-822

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

WHEREAS, The Department of Social Services continuously reviews staffing to provide more efficient operation of County business be it

RESOLVED, that this Legislature does hereby authorize the creation and filling of a permanent part-time Youth Court Coordinator position in the Department of Social Services at Grade 20 of the CSEA Salary Schedule effective August 25, 2022; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the creation and filling of a permanent part-time Caseworker position in the Department of Social Services at Grade 16 of the CSEA Salary Schedule effective August 25, 2022; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the create and the filling of a permanent part-time Caseworker position in the Department of Social Services at Grade 16 of the CSEA Salary Schedule effective August 25, 2022; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of these three newly created vacant position effective August 25, 2022; and be it

FURTHER RESOLVED, that this Legislature, does hereby authorize abolishing a vacant Caseworker position (6010.0265) in the Department of Social Services at Grade 16 of the CSEA Salary Schedule effective August 25, 2022.

Moved, Miller; second,

RESOLUTION NO. 414-822

AUTHORIZING ABOLISHING, CREATING AND FILLING POSITIONS IN THE VETERANS SERVICE AGENCY

RESOLVED, that the Legislature does hereby authorize the abolishment of the Senior Keyboard Typist position (6510.03) in the Veterans Service Agency effective August 25, 2022; and be it

FURTHER RESOLVED, that this Legislature does hereby authorize the creation of a part time Clerk position in the Veterans Service Agency at Grade 7 of the CSEA Salary Schedule effective August 25, 2022; and be it

FURTHER RESOLVED, that this Legislature authorizes the filling of this newly created vacant position effective August 25, 2022.

Moved, Miller; second,

RESOLUTION NO. 415-822

AUTHORIZING THE USE OF ARPA FUNDS FOR LIVINGSTON COUNTY WORKFORCE DEVELOPMENT AND AUTHORIZING THE COUNTY TREASURER TO SET UP FUNDS

WHEREAS, the Orleans County Job Development Agency has seen a reduction in the training funds from the Workforce Innovation and Opportunity Act received through Livingston County Workforce Development as Grant Recipient for the Genesee-Livingston-Orleans-Wyoming (GLOW) Workforce Development Board; and

WHEREAS, Orleans County has an increased demand from Orleans County residents for job training so that these residents may be qualified for existing jobs that require specific technical skills training; and

WHEREAS, Orleans County has a significant number of job vacancies that require specific technical skills; now be it

RESOLVED, that this Legislature does hereby approve using ARPA funding in the amount of \$50,000 for technical skills training of Orleans County residents; and be it

FURTHER RESOLVED, that this Legislature authorizes the County Treasurer to set up funds in ARPA for Livingston County Workforce Development as Grant Recipient for the Genesee-Livingston-Orleans-Wyoming (GLOW) Workforce Development Board, as follows:

REVENUE:

01.1326.4089	ARPA – Federal Aid	\$50,000.00
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APPROPRIATION:

01.1326.4791.6293	Livingston County Workforce Development as Grant Recipient	\$50,000.00
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Moved, Miller; second,

RESOLUTION NO. 416-822

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

RESOLVED, that this Legislature does hereby approve the nomination of Mary Grace (Holli) Nenni, Commissioner, Orleans County Department of Social Services to represent youth organizations on the Genesee-Livingston-Orleans-Wyoming Workforce Development Board (GLOW WDB), pursuant to the GLOW Workforce Development Board By-Laws and in compliance with New York State Local Workforce Development Board (LWDB) eligibility criteria. There is no term limit for this appointment, and the representative shall serve as of September 21, 2022, and ongoing at the discretion of the GLOW Chief Elected Officials.

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

Moved, Miller; second,

RESOLUTION NO. 417-822

APPROVING APPOINTMENT 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 be it

RESOLVED, that this Legislature approves the following appointments of three members to serve on the Orleans County Youth Board beginning August 1, 2022 through July 31, 2025 as follows:

Medina/Ridgway/Shelby:	Timothy Petry	207 William St., Medina, NY 14103
Agency/Gov't/Non-Profit:	John Grillo	320 East Park St., Albion, NY 14411

Youth Representative: Christopher Nettles 2937 West Kendall Rd, Holley, NY 14470

Moved, Miller; second,

RESOLUTION NO. 418-822

PROPOSING THE REPEAL OR AMENDMENT OF ELECTION LAWS IN SO FAR AS THEY ADVERSELY AFFECT SMALLER COUNTIES

WHEREAS, Orleans County, as one of 34 New York counties with populations less than 200,000, bears a tremendous staffina dn cost burden under “One Size Fits All Legislation” that becaomes Election Law; and

WHEREAS, one such law, CHAPER 441 OF 2019, adopted January 24, 2019, creates nine days of early voting prior to any special, promary or general elections and requires 66 hours of staffing in at least one poll site in each county; and

WHEREAS, several such laws beginning with CHAPER 91 OF 2020, adopted June 7, 2020, modify the availability and allowable reasons for the use of Absentee Ballots and resemble “Vote by Mail” processes, create additional administrative burdens on staff, and divert voters form Election Day voting, thereby creating underutilization, increased costs and inefficiencies (expresased as cost pervote cast); and

WHEREAS, two such laws, CHAPTER 763 OF 2021, modified by CHAPTER 117 OF 2022, adopted February 24, 2022, create a lengthy and highly inefficient procedure for processing arriving absentee ballots twice weekly, in batches of as little as one ballot; and

WHEREAS, one such law, CHAPTER 781 OF 2021, adopted December 22, 2021, adds an additional 12 hours of Early Voting to an already ineffective, burdensome and costly 66 hours of Early Voting; and

WHEREAS, Early Voting typically has generated very low turnout, such as 0.9% of the eligiable Orleans County registered voters for the State Primary held on June 28, 2022; and

WHEREAS, the New York State Bar Associaition opposed Early Voting as a proposal that added nothing to turnout rates, instead diverted some voters from election Day voting which is of no advantage for small to mid-sized counties and creates two systms with higher incremental cost; and

WHEREAS, Orleans County, like many other small to mid-sized counties across the state, does not and never has had voters waiting in long lines on Election Day; and

WHEREAS, it is reported by the Albany Times Union that Democratic State Board of Elections Commissioner Kellner, stated: “It is a good idea to be analyzing the data and to determine whether the full staffing and hours for eatly voting for small turnout elections is appropriate; where

the cost per voter is very high it's worth taking a second look to see whether modifications should be made"; and

WHEREAS, there have been 115 new laws adopted and signed by the governor that affect the operations of the County Boards of Elections and many of them show the legislators' ignorance of the efficient and effective administration of elections and complete disregard of input from Election Commissioners and Legislators in small to mid-size counties; and

WHEREAS, the preponderance of data collected in the three years since Early Voting was started show that it is a financial, staffing and administrative burden on all counties where there are small, non-contentious elections and very small primaries; and

WHEREAS, the Senate Committee on Elections held hearing across the state on the conduct of Elections, during which there was a complete disregard of the many testimonies from election Commissioners and spokespersons representing upstate Towns and Counties, such that there was no mention of the criticism of "One Size Fits All" pattern of legislation in the final report of the committee; and

WHEREAS, the primary elections of June 28, 2022, when approximately 0.9% of registered eligible Orleans County voters voted early, is a clear example of the waste and burden imposed by legislation calling for long hours of early voting; and

WHEREAS, both the Democratic and Republican Commissioners of Elections in Orleans County are united in bipartisan support of this resolution; now be it

RESOLVED, that the Orleans County Legislature does hereby request the amendment or repeal of the above cited Chapters of Law that adversely affect the administration and expenses of Elections in small to mid-sized counties like Orleans County; and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this resolution to Governor Kathy Hochul, Senator Zellnor Myrie Chair Senate Committee on elections, Assembly Member Latrice Walker Chair NYS Assembly Committee on Election Law, Senator Robert Ort, Assemblyman Steve Hawley, Assemblyman Michael Norris, NYSAC, NYS Association of Towns, Co-Executive Directors Valentine and Stavisky of the NYS Board of elections, NYS Elections Commissioners Association, counties of New York State and all others deemed necessary and proper.

Moved, Miller; second,

RESOLUTION NO. 419-822

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 \$0.188 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, 2023 with a \$.01 change in envelope pricing.

Moved, Draper; second,

RESOLUTION NO. 420-822

AUTHORIZING THE USE OF ARPA FUNDS FOR SOFTWARE LICENSES FROM BRITE COMPUTERS FOR MOBILITY OPERATIONS AND AUTHORIZING THE COUNTY TREASURER TO SET UP FUNDS

WHEREAS, the COVID-19 pandemic has required the Orleans County workforce to have the ability to increase our mobility operations; and

WHEREAS, the increased mobility of the workforce creates an increase in the risks to cybersecurity; now be it

RESOLVED, that this Legislature hereby approves using ARPA funding in the amount of \$29,400 for 250 copies of NetMotion connectivity software from Brite Computers, 7647 Main Street Fishers, Victor, NY 14564; and be it

FURTHER RESOLVED, that this Legislature authorizes the County Treasurer to set up funds in ARPA for the cybersecurity as follows:

REVENUE:

01.1326.4089	ARPA – Federal Aid	\$29,400.00
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APPROPRIATION:

01.1326.0418.1680	ARPA-Computer Services	\$29,400.00
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Moved, Draper; second,

RESOLUTION NO. 421-822

AUTHORIZING FILLING A POSITION IN THE COMPUTER SERVICES DEPARTMENT

WHEREAS, there has been a resignation in the computer Services Department; now be it

RESOLVED, that this Legislature does hereby authorize filling the permanent full time Computer Specialist position (1680.09) in the Computer Services Department, at Grade 16 of the CSEA Salary Schedule, effective August 25, 2022.

Moved, Draper; second,

RESOLUTION NO. 422-822

APPROVING THE MANAGEMENT COMPENSATION PLAN FOR 2023 AND 2024

WHEREAS, this Legislature desires to control costs and provide certainty for the budget process as it relates to compensation for management and elected officials; therefore, be it

RESOLVED, that various adjustments will be made to the plan that allow for implementation of quality of life measures at little or no cost to the county effective September 1, 2022 and compensation increases of 2% in January 2023 and January 2024; and be it

FURTHER RESOLVED, that the aforementioned plan is to be filed with the Clerk of the Legislature by the Chief Administrative Officer and Director of Personnel and Self Insurance and that the terms and provisions of the plan as filed are incorporated herein by reference as if fully set forth in this resolution.

Moved, Draper; second,

RESOLUTION NO. 423-822

APPROVING APPOINTMENTS TO THE COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY (COIDA)

RESOLVED, that this Legislature approves the following appointment to the County of Orleans Industrial Development Agency replacing Merle Draper as a Community Member:

<u>Name:</u>	<u>Address:</u>	<u>Expiration:</u>
Craig Tuohey	43 Meadowbrook Drive Albion, NY 14411	December 31, 2023

Moved, Draper; second,

RESOLUTION NO. 424-822

AUTHORIZING PAYMENT OF CLAIMS FOR SEPTEMBER 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 September 14, 2022:

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

RESOLVED, that this Legislature authorizes payment of said claims against the following funds and that the Clerk of the Legislature, the Director of Job Development Agency, the Commissioner of the Department of Public Works, and the Self-Insurance Administrator be authorized and directed to draw demand orders on the County Treasurer in payment of the following claims submitted for September 28, 2022:

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

Moved, Fitzak; second,